Supreme Court, U. S.
FILED
DEC 31 1975
MICHAEL RODAK, JR., CLERK

JOINT APPENDIX.
[January 2, 1976]

IN THE

Supreme Court of the United States

OCTOBER TERM, 1975.

No. 75-164

PASADENA CITY BOARD OF EDUCATION, ET AL.,
Petitioners,

vs.

NANCY ANNE SPANGLER, ET AL.,
Respondents,

and

UNITED STATES OF AMERICA,
Respondent.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1975.

No. 75-164.

PASADENA CITY BOARD OF EDUCATION, ET AL.,
Petitioners,

vs.

NANCY ANNE SPANGLER, ET AL.,
Respondents,

and

UNITED STATES OF AMERICA,
Respondent.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.

INDEX.

PAGE

Chronological List of Relevant Docket Entries 1

1970 PROCEEDINGS.

Judgment of the United States District Court for the Central District of California, entered 23 January 1970 3

Defendants' Submission of Plan for the Integration of the Pasadena Unified School District, filed 18 February 1970 6

Defendants' Submission of Amendment to Plan for the Integration of the Pasadena Unified School District, filed 2 March 1970 58

Order Approving Defendants' Plan for Integration, entered 10 March 1970 96

Findings of Fact and Conclusions of Law, filed 12 March 1970 97

Stipulation and Order, filed and entered 31 August 1970.. 134

1970 Exhibits 137

Exhibit 1-C. Research Report on Racial and Ethnic Distribution of Enrollment, October, 1968 137

Exhibit 10-L. Map showing Plan A Transfer Zone... 150

Exhibit 10-M. Map showing High School Transfers Prior to 1970 151

Exhibit 11-O(a). Plan for Geographic and Controlled Open Districting with Three High Schools, 7 May 1963 153

Exhibit 11-O(b). Excerpts from Minutes of Meeting of Pasadena City Board of Education, 11 June 1963 155

Exhibit 11-O(c). Research Report on Senior High Selected Open District, December, 1967 165

Exhibit 11-O(d). Research Report on Senior High School Open District Students Volunteered, Mandated, or Assigned, 26 June 1968 167

Exhibit 11-O(e). Excerpts from Minutes of Meeting of Pasadena City Board of Education, 15 June 1965 173

Exhibit 11-O(f). Geographic and Controlled Open Districting Information Sheet, 15 June 1965 181

Exhibit 11-U(a). Minutes of Special Meeting of Special Meeting of the Pasadena City Board of Education, 4 May 1967 183

Exhibit 15. Excerpts from Minutes of Meeting Pasadena City Board of Education, 19 March 1968... 191

Exhibit 16. Research Report on Elementary Selected Open District, 12 October 1966 193

Exhibit 35. Open Transfer Policy Statement of Pasadena City Board of Education 196

Exhibit 42(b). Intra-District Annual Report, 1968-1969 197

Exhibit 68(e). Report on Open District Junior High School Students Attending Marshall Junior High School, 8 October 1965 198

Exhibit 68E(c). Geographic and Controlled Open Districting Information Sheet, 11 June 1964 201

Exhibit PA-VI. Memorandum on Effect of Senior High School Selected Open District on Ethnic Distribution, 2 January 1969 209

Transcript of Proceedings, 7 January 1970 217

Direct Examination of Paul B. Salmon 217

Transcript of Proceedings, 8 January 1970 221

Direct Examination of Ralph Hornbeck 221

Transcript of Proceedings, 13 January 1970 222

Direct Examination of LaVerne LaMotte 222

Transcript of Proceedings, 14 January 1970 224

Direct Examination of John Welsh 224

Transcript of Proceedings, 16 January 1970 225

Direct Examination of Robert Jenkins 225

Direct Examination of James Stivers 227

1974 PROCEEDINGS.

Notice of Motion and Motion by Pasadena City Board of Education for (1) Relief from the Court's Judgment, (2) Dissolution of the Court's Injunction, (3) Termination of the Court's Continuing Supervision Over the Actions of the Board, and (4) Alternatively, for Modification of Plan for Integration Dated 18 February 1970, filed 15 January 1974 232

Affidavits of Ramon C. Cortines and Henry Marcheschi, with Attached Exhibits, filed 15 January 1974 234

Supplement to the Memorandum of Points and Authorities in Support of the Preliminary Response of the United States, filed 28 January 1974 247

Affidavit of James E. Spangler, Jr., 19 February 1974.... 259

Affidavit of Samuel C. Sheats, filed 23 February 1974.... 264

Trial Stipulation, filed 25 February 1974 268

Transcript of Proceedings, 1 March 1974 270

Argument of Counsel 270

1974 Exhibits 271

Plaintiffs' Exhibit I. Excerpts from Minutes of Special Meeting of Pasadena City Board of Education, 27 January 1970 271

Plaintiffs' Exhibit III. A handbill 272

Plaintiffs' Exhibit IV. A handbill 274

Plaintiffs' Exhibit V. A campaign newspaper 278

Plaintiffs' Exhibit X. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 24 April 1973 282

Plaintiffs' Exhibit XI. A campaign letter 283

Plaintiffs' Exhibit XII. A campaign newspaper 285

Plaintiffs' Exhibit XIII. A handbill 286

Plaintiffs' Exhibit XIV. Statement of Qualifications of Candidate Richard Vetterli, 6 March 1973 290

Plaintiffs' Exhibit XV. Statement of Qualifications of Candidate Lyman Newton, 6 March 1973. 292

Plaintiffs' Exhibit XVI. Statement of Qualifications of Candidate Henry S. Myers, Jr., 6 March 1973 294

Plaintiffs' Exhibit XVII. Campaign "Vote-O-Gram", March, 1973. 296

Plaintiffs' Exhibit XVIII. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 18 December 1973. 297

Plaintiffs' Exhibit XX. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 10 July 1973. 317

United States' Exhibit 2. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 27 February 1973. 323

United States' Exhibit 3. Table of Student Assignments on the Basis of Living Within ¾ Mile of a K-6 School Site. 329

United States' Exhibit 4. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 20 June 1972. 330

United States' Exhibit 5. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 23 November 1971. 331

United States' Exhibit 7. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 9 January 1973. 340

United States' Exhibit 8. A Brochure on "Some New and Unique Programs Offered by the Pasadena Unified School District." 341

United States' Exhibit 11. Excerpts from a Report on Enrollments and Ethnic Distribution, 1 November 1972. 347
United States' Exhibit 13. Memorandum from Ramon C. Cortines on Evaluation of Plans for Assignment of Elementary School Students. 349
United States' Exhibit 14. Excerpts from Minutes of Committee to Modify Pasadena Plan 1973, 13 September 1973. 355
United States' Exhibit 15. A brochure on "Innovative and Challenging Program Offered by the Pasadena Public Schools." 356
United States' Exhibit 16. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 26 October 1971. 376
United States' Exhibit 17. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 11 April 1972. 381
United States' Exhibit 19. Excerpts from Memorandum from Ralph W. Hornbeck on Suspensions, Incidents, and Absences, 13 April 1972. 384
United States' Exhibit 23. Table Comparing Test Scores of Various Ethnic Groups in Pasadena Elementary Schools. 389
United States' Exhibit 26. Report on Open Enrollment in San Bernardino, California. 395
United States' Exhibit 27. Report on Open Enrollment in Richmond, California. 396
Defendants' Exhibit E. Research Report on Racial and Ethnic Distribution of Students Employees in Pasadena Unified School District, 6 October 1972. 396
Defendants' Exhibit F. Research Report on Racial and Ethnic Distribution of Enrollments, 5 October 1973. 413

Defendants' Exhibit K. Report on Decline in "Anglo-Caucasian" Enrollment, 21 February 1974. 421
Defendants' Exhibit M. The New Pasadena Plan, Part I, 26 October 1971. 422
Defendants' Exhibit AU. Racial and Ethnic Distribution of Students and Employees, 8 October 1971. .. 435
Opinion and Order of the United States District Court for the Central District of California, Entered 15 May 1974. 452
Transcript of Proceedings, 25 February 1974. 466
Direct Examination of Ramon C. Cortines. 466
Direct Examination of Peter F. Hagen. 470
Direct Examination of Henry Marcheschi. 471
Cross-Examination of Henry Marcheschi. 479
Redirect Examination of Henry Marcheschi. 494
Examination by the Court of Henry Marcheschi. .. 495
Transcript of Proceedings, 26 February 1974. 502
Examination by the Court of Henry Marcheschi. 502
Direct Examination of Albert Lowe. 504
Cross-Examination of Albert Lowe. 504
Direct Examination of Peter F. Hagen, Recalled. 506
Cross-Examination of Peter F. Hagen, Recalled. 507
Cross-Examination of Ramon C. Cortines, Recalled.. 508
Transcript of Proceedings, 28 February 1974. 520
Direct Examination of David J. Armor. 520
Cross-Examination of David J. Armor. 523
Redirect Examination of Ramon C. Cortines, Recalled. 525
Direct Examination of Jane R. Mercer. 530
Transcript of Proceedings, 1 March 1974. 551
Direct Examination of Jane R. Mercer, continued. .. 551

Cross-Examination of Jane R. Mercer, ... 560
Argument of Counsel. 567
Supplementary Exhibits. 570
Plaintiffs' Exhibit VIII. The New Pasadena Plan, Part II, 9 November 1971. 570
Plaintiffs' Exhibit XIX. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 15 January 1974. 581
Defendants' Exhibit G. Relative Balances of Racial Enrollments, School-by-School, 1970-1974. 585
Defendants' Exhibit N. Neighborhood School/Integrated Zone Plan for Grades K-6, 9 January 1973.. 587
Defendants' Exhibit AD. Table of Yearly Enrollment in Pasadena Unified School District Showing Total District Enrollment and Ethnic Breakdown, 1961-1973. 600
Defendants' Exhibit AE. Table Showing Percentages of Anglo-Caucasian Students by Years, 31 October 1972. 601
Plaintiffs' Exhibit XXI. Excerpts from Minutes of Meeting of Pasadena City Board of Education, 31 July 1973. 603
Defendants' Exhibit J. Map Showing Distribution of Black Students Throughout Pasadena District Zones 1-92, 1973-1974. .....Rear folio
Defendants' Exhibit X. Map Showing Distribution of White Students Throughout Pasadena District Zones 1-92, 1973-1974. .....Rear folio

JOINT APPENDIX.

CHRONOLOGICAL LIST OF RELEVANT DOCKET ENTRIES.

August 28, 1968. Plaintiffs' original complaint filed in the United States District Court for the Central District of California.

October 8, 1968. Plaintiffs' first amended complaint filed.

November 19, 1968. United States of America, as plaintiff-intervenor, filed motion to intervene and to add parties defendant.

December 6, 1968. Order entered granting motion of United States of America to intervene.

February 12, 1969. Defendants filed answer to plaintiffs' first amended complaint and answer to complaint in intervention.

January 6, 1970—January 20, 1970. Trial held before the United States District Court for the Central District of California. (Nine days).

January 23, 1970. Judgment and order entered in favor of plaintiff-intervenor and plaintiffs, and against defendants.

February 18, 1970. Defendants filed submission of plan.

March 2, 1970. Defendants filed submission of amendment to plan.

March 10, 1970. Order entered approving defendants' plan for integration.

March 12, 1970. Findings of fact and conclusions of law filed.

August 21, 1970. Defendants filed alternative plan for reorganization of secondary schools.

August 31, 1970. Stipulation and order filed and entered implementing defendants' alternative plan for reorganization of secondary schools.

January 13, 1974. Defendants filed motion for (1) relief from court's judgment, (2) dissolution of court's injunction, (3) termination of court's continuing supervision over the Pasadena City Board of Education, and, alternatively (4) modification of the plan of integration submitted February 18, 1970.

February 25, 1974. Trial stipulation filed.

February 25, 1974—March 1, 1974. Hearings held before the United States District Court for the Central District of California. (Four days).

March 1, 1974. Defendants' motion for relief, dissolution, termination, and modification denied.

May 3, 1974. Court's opinion and order denying defendants' motion, deemed by the court to constitute its findings of fact and conclusions of law, filed. Judgment entered as of May 2, 1974.

May 9, 1974. Defendants' notice of appeal filed.

June 13, 1974. Defendants' amended notice of appeal filed.

May 5, 1975. Opinion of the United States Court of Appeals for the North Circuit filed.

JUDGMENT OF THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.

Entered 23 January 1970.

In accordance with the Findings of Fact and Conclusions of Law filed herein:

IT IS ORDERED, ADJUDGED, AND DECREED that the defendants, Pasadena City Board of Education, Mrs. LuVerne LaMotte, Albert C. Lowe, Bradford C. Houser, John T. Welsh, and Joseph J. Engholm, as members of the Pasadena City Board of Education, and Ralph W. Hornbeck, as Superintendent of Schools for the Pasadena Unified School District, and each of them, their agents, officers, employees, successors, and all persons acting in concert or participation with them are enjoined from discriminating on the basis of race in the operation of the Pasadena Unified School District.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the above-named defendants, and each of them, their agents, officers, employees, successors, and all persons acting in concert or participation with them are enjoined from failing to prepare and adopt a plan to correct racial imbalance at all levels in the Pasadena Unified School District. Defendants are to submit that plan to the Court by February 16, 1970. The plan shall include programs for the assignment, hiring, and promotion of teachers and other professional staff members in such a manner as to reduce racial segregation throughout the District. The plan shall include procedures to be followed and goals to be attained in connection with the location and construction of facilities, both permanent and transportable, that will reduce racial segregation in the District. The plan shall provide for student assignments in such a manner that, by or before the beginning of the school year that commences in September of 1970 there shall be no school in the District, elementary or junior high or senior high school, with a majority of any

minority students. The plan shall indicate specifically the expected enrollment by race, at each school in the District at the time the plan is implemented.

The Court retains jurisdiction of this cause in order to continue to observe and evaluate the plans and the execution of the plans of the Pasadena Unified School District in regard to the hiring, promotion, and assignment of teachers and professional staff members, the construction and location of facilities, and the assignment of students.

Claim for attorneys' fees made on behalf of the plaintiffs is denied.

Plaintiffs' costs are taxed against the defendants, and each of them, in the amount of $.....

Plaintiff-intervenor's costs are taxed against the defendants, and each of them, in the amount of $.....

ORDERED: This 22 day of January, 1970.

/s/ MANUEL L. REAL,
United States District Judge.

DEFENDANTS' SUBMISSION OF PLAN.

Filed 18 February 1970.

In accordance with the judgment and order of this Court entered January 23, 1970, defendant Pasadena City Board of Education hereby files with and submits to this Court its "Plan for Integration of the Pasadena Unified School District", attached hereto as Exhibit "A" and incorporated herein by reference.

Dated: February 18, 1970.

POLLOCK, PALMER & METZLER,
JOHN P. POLLOCK,
JOHN ANDREW MILLER,
By /s/ JOHN ANDREW MILLER,
John Andrew Miller,
Attorneys for Defendants.

PLAN FOR THE INTEGRATION

OF THE

PASADENA UNIFIED SCHOOL DISTRICT

Pasadena Unified School District
Pasadena, California
February 18, 1970

TABLE OF CONTENTS

Part I—Student Assignment
Introduction 1
Elementary Schools 3
Criteria 3
Plan 3
Rationale 4
Area "A" Plan 6
Map 7, 8
Area "B" Plan 9
Map 10, 11
Area "C" Plan 12
Map 13, 14
Area "D" Plan 15
Map 16, 17
Junior High Schools 18
Phase I and II 18
Estimated Enrollments 18
Map 19

Senior High Schools 20
Phase I, II, and III 20
Foothill High School 21
Estimated Enrollments 21
Map 22
Sibling, Transfer and Senior Policies 23
Construction 25
Rehabilitation and/or Construction of Elementary Schools 25
High School Education Park 25
Relocatables 28
Elementary 28
Secondary 33
Transportation 34
Cost Estimates 34

Part II—Plan for Assignment, Hiring and Promotion of Teachers and Administrators
Introduction 36
Elementary School Teacher Assignment 37
Junior High School Teacher Assignment 38
Senior High School Teacher Assignment 39
Recruitment 40
Teacher Selection 44
Recruitment and Selection of Administrators 45
Review Procedure 47
Assignment of Substitutes 48

Part I.

Student Assignment.

Introduction.

Ethnic imbalance in certain schools of the Pasadena Unified School District has increased in recent years. In 1963, neighboring La Canada withdrew from the Pasadena school district, resulting in the loss of more than 600 Anglo-Caucasian students from John Muir High School.

In the past seven years, the main factor contributing to the increase of Negro students in certain schools has been the immigration of large numbers of Negroes in certain housing areas of the Pasadena school district, and the emigration of Anglo-Caucasians.

In the seven years from May 1962 to October 1969, the total Negro enrollment in the schools increased from 5,252 to 9,173, a net gain of 3,921 students, while the percentage rose from 17.3% to 30.0%, an increase of 12.7% of the total enrollment. The number of Anglo-Caucasian pupils decreased from 22,463 to 17,859 during this same period, a drop of 4,604 students. The percentage declined from 73.8% to 58.3%, or a decrease of 15.5% of the total enrollment. "Others" (Oriental, Spanish-surname, et al) increased from 2,703 to 3,590, a net gain of 887, while the percentage rose from 8.9% to 11.7% of the total enrollment.

Over the years, the Board of Education has taken steps designed to gain better ethnic balance. In September, 1969, the superintendent commissioned a Master Planning Committee to develop a plan to assure an educational environment in each school conducive to equal educational opportunities for all pupils, which would provide more comprehensive and integrated education at all levels, and could be implemented without passage of a bond election.

In December, 1969, the Board of Education amended the By-Laws and Policies of the Board of Education to include the following: ". . . it is the policy of the Pasadena City Board of Education to provide integrated education at all levels."

The plan to integrate the Pasadena Unified School District at all levels presented here meets the specifications of Federal District Court Judge Manuel Real in his decision of January 20, 1970. This plan represents the work and thinking of the Pasadena City Board of Education, the superintendent, and the staff under his direction. The diligent efforts of the State Department of Education's Bureau of Intergroup Relations have been of great help as has the work of so many Pasadena principals and teachers. All available information has been considered in the development of this plan. The changes included will not only facilitate integration, but will move the district in the direction of greater quality education.

As additional information is obtained, it may be necessary to make minor modifications and adjustments.

Elementary Schools.

Criteria

The district plan to integrate the elementary school is predicated on the following criteria:

1. All schools should have populations that are as similar as possible to the ethnic make-up of the entire district.
2. Neighborhoods should be maintained so that, essentially, children will walk to a nearby school for part of their elementary schooling and be transported as a neighborhood to another school for the balance.
3. The shortest traveling distances to effect integration should be used.
4. Optimum use should be made of existing facilities.

5. Population trends and future mobility should be taken into consideration in building a plan for permanence.

Plan

The Pasadena Unified School District will be divided into four ethnically balanced areas. Schools within each area will be designated either primary or upper grade schools. Within each area students will be assigned to primary and upper grade schools in such a way as to develop an ethnic balance in each school. Students will walk to a nearby school for part of their elementary schooling and be transported with students in their neighborhoods to another school to provide ethnic balance. The estimated result of such a plan is indicated on the charts which follow. The charts show which schools within each area are designated primary and upper grade, the estimated enrollment of each school, and the estimated ethnic distribution percentages.

Rationale

The entire Pasadena Unified School District will be divided into four areas—A, B, C, D, extending east to west across the city. The decision to divide from east to west was made because the minority population is moving east.

If this population continues to move eastward, the ethnic balance that has been achieved in these areas will be maintained for several years. Each year the areas will be reviewed to assure that the ethnic balance is maintained.

Within each area the district will maintain individual school zones. A child will be assigned to either primary school or upper grade school according to grade level and zones.

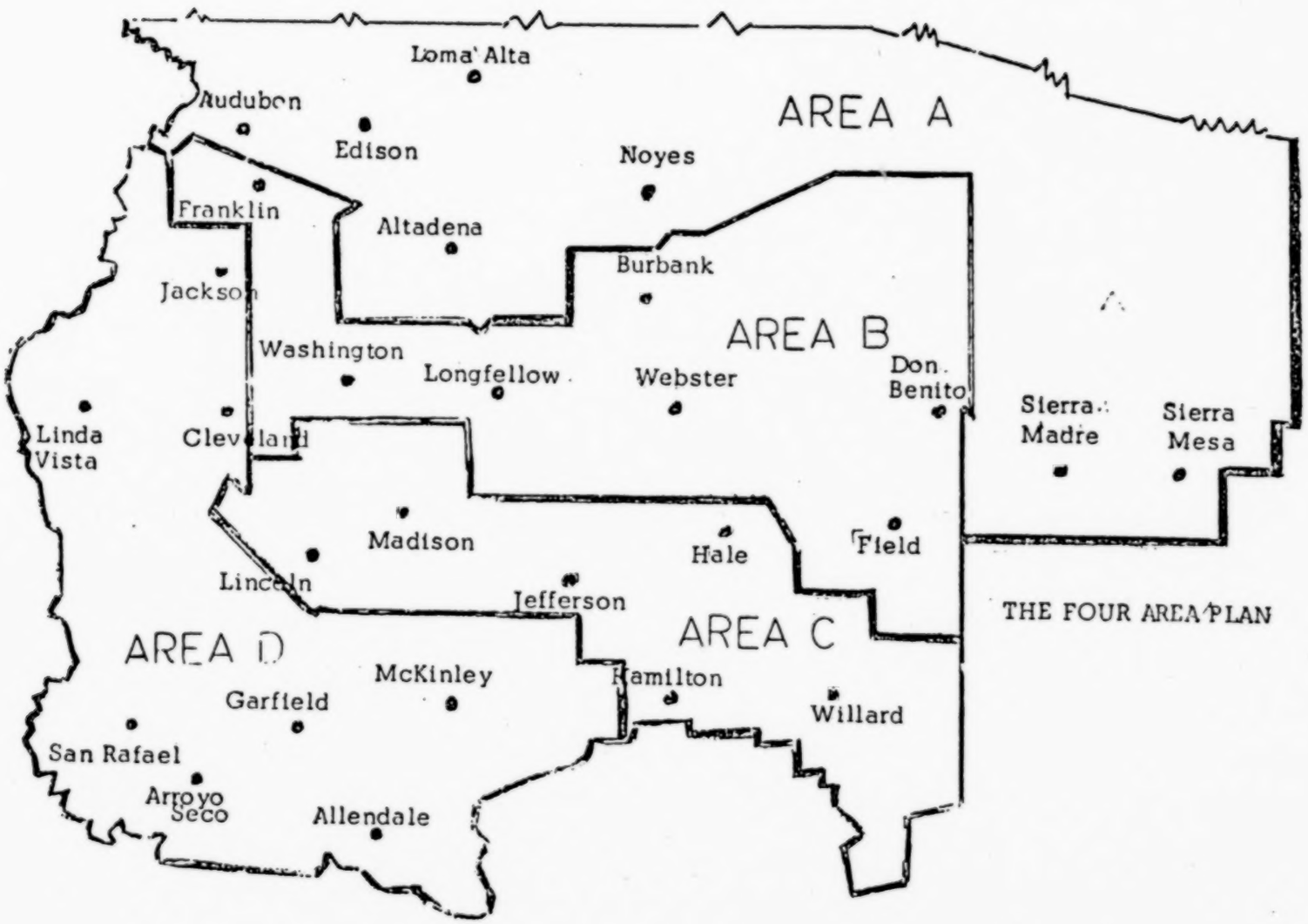
The reorganization of elementary schools into primary schools (K-3) and upper schools (4-6) will provide specialization which is important to guarantee improvement in basic skills. Research indicates that some type of primary unit is presently being used by 18% of the public schools in the United States. Pasadena's

K-6 elementary schools have usually been divided into two groups—lower and upper grades—and it now seems appropriate that the entire district be divided into primary and upper.

It should be noted that Arroyo Seco and Roosevelt school facilities are not included in these plans for the following reasons:

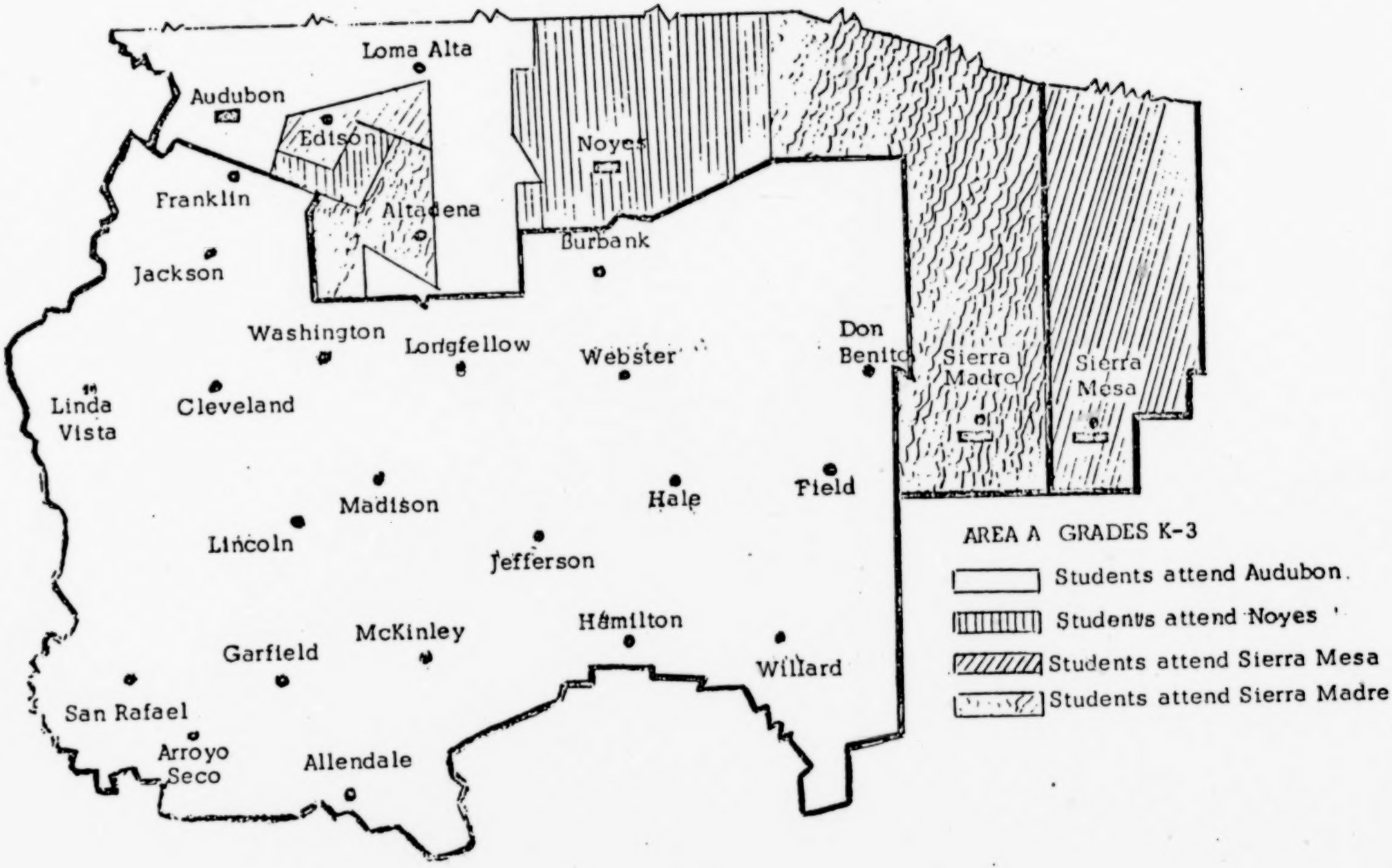
Arroyo Seco—The decision on the reconstruction of this school is pending, awaiting an appraisal report on and consideration of the feasibility of sale of Garfield School.

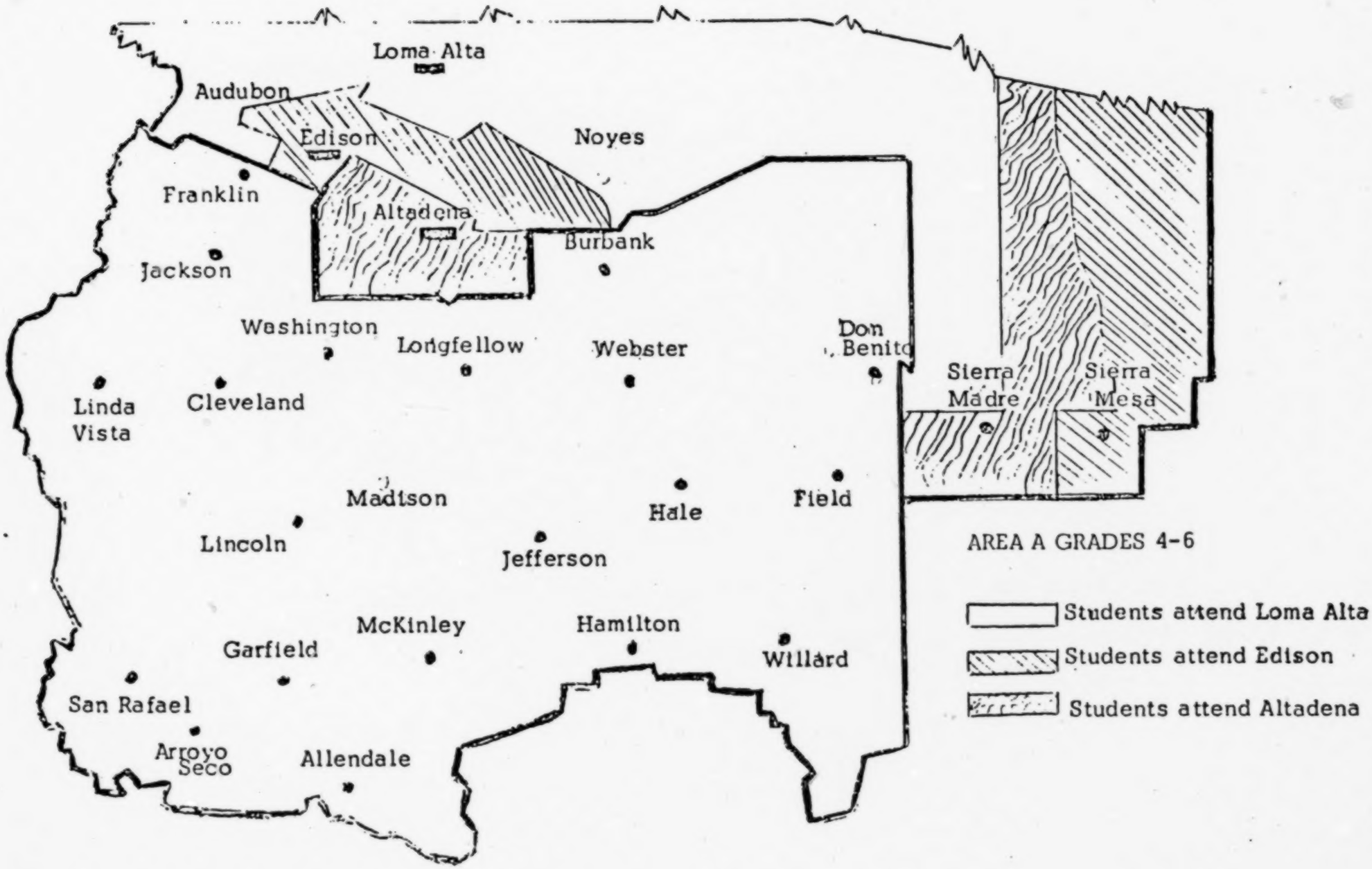
Roosevelt—The specially equipped school currently serves physically and severely mentally handicapped youngsters from the entire district.



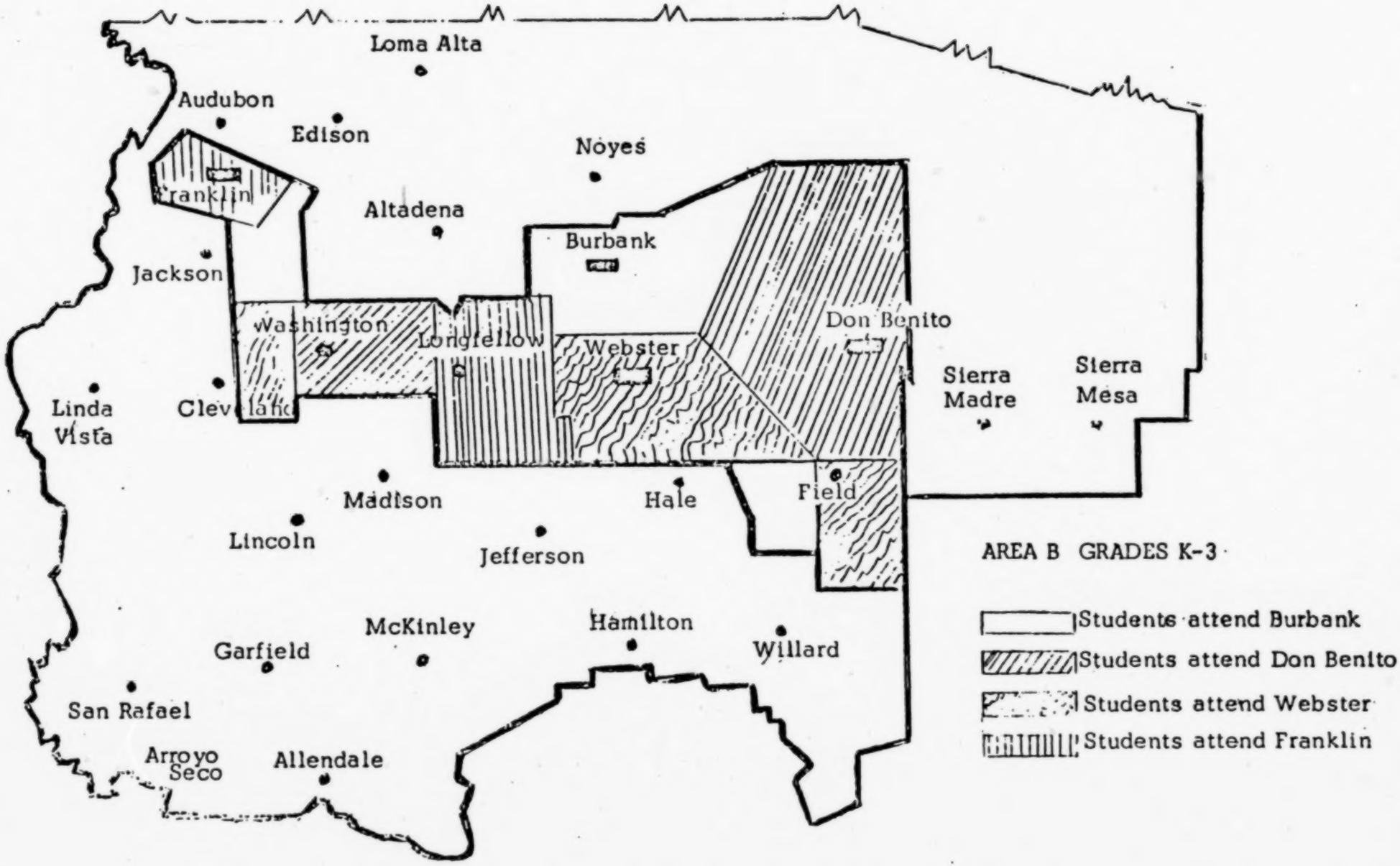
THE FOUR AREA PLAN

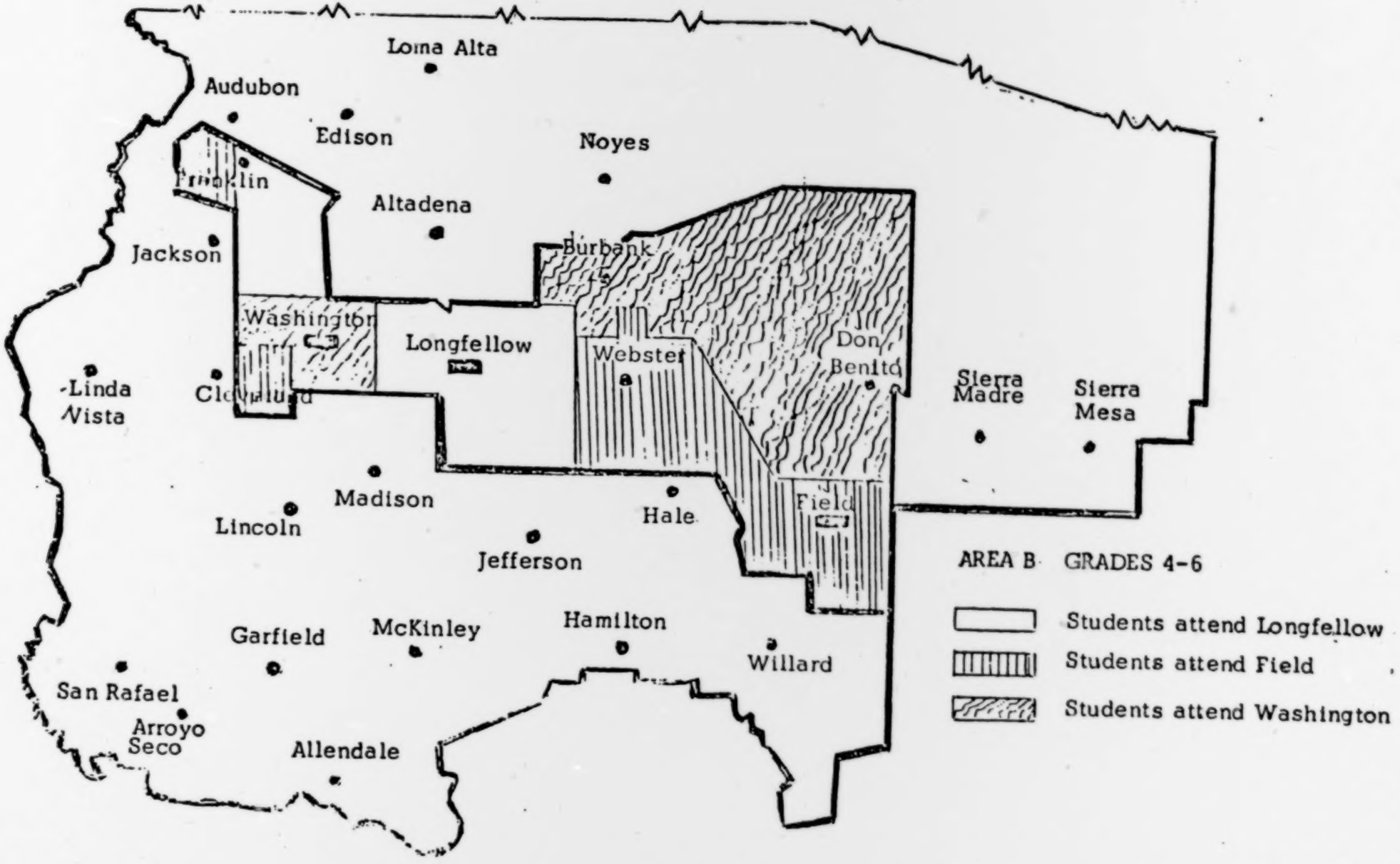
AREA "A"	Ethnic Distribution (Per cent) 1970-71					Estimated Enrollment 1970-71	1969-70 Fourth School Month Enroll. Gr. 1-6		
	Anglo-Cauc.	Negro	Spanish Sur.	Orient.	Other			Ethnic Distrib. %C&O	% N
Grades Kindergarten - Three									
AUDUBON - Primary School	53.6	35.0	7.8	2.6	1.0	704	584	34	66
NOYES - Primary School	58.2	32.8	5.5	2.3	1.2	429	315	99	1
SIERRA MADRE - Primary School	54.4	35.6	6.3	2.7	1.0	650	543	100	0
SIERRA MESA - Primary School	49.3	35.0	12.3	2.4	1.0	565	438	100	0
Grades Four - Six									
ALTADENA - Upper Grade School	54.7	31.0	10.3	2.4	1.3	722	834	71	29
EDISON - Upper Grade School	56.8	33.9	4.4	2.6	1.0	568	631	39	61
LOMA ALTA - Upper Grade School	55.2	34.4	8.2	1.5	.5	633	554	75	25


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
McKinley
Hamilton
Garfield
Willard
San Rafael
Arroyo Seco
Allendale
AREA A GRADES K-3
Students attend Audubon.
Students attend Noyes
Students attend Sierra Mesa
Students attend Sierra Madre

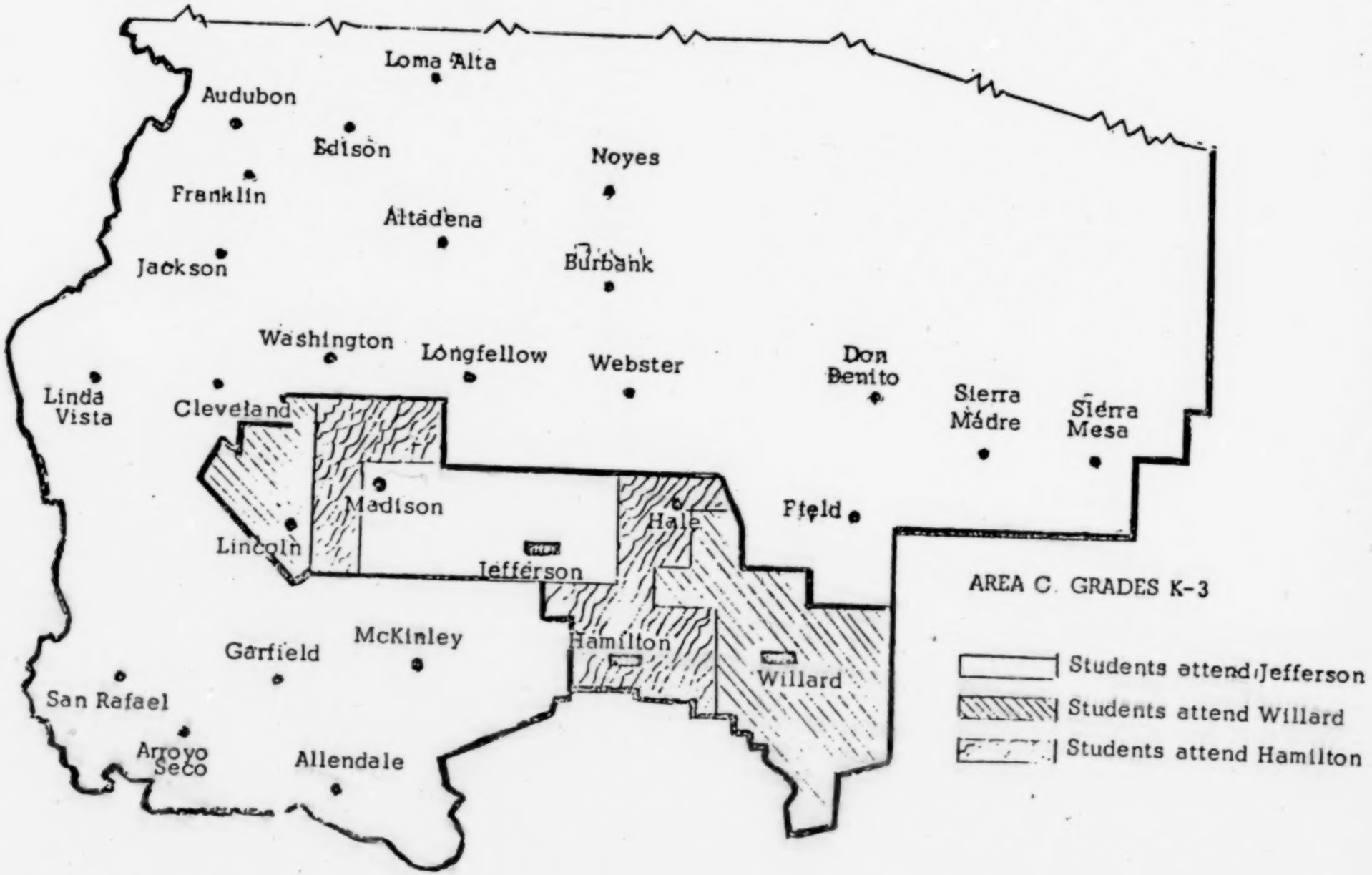

Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
McKinley
Hamilton
Garfield
Willard
San Rafael
Arroyo Seco
Allendale
AREA A GRADES 4-6
Students attend Loma Alta
Students attend Edison
Students attend Altadena

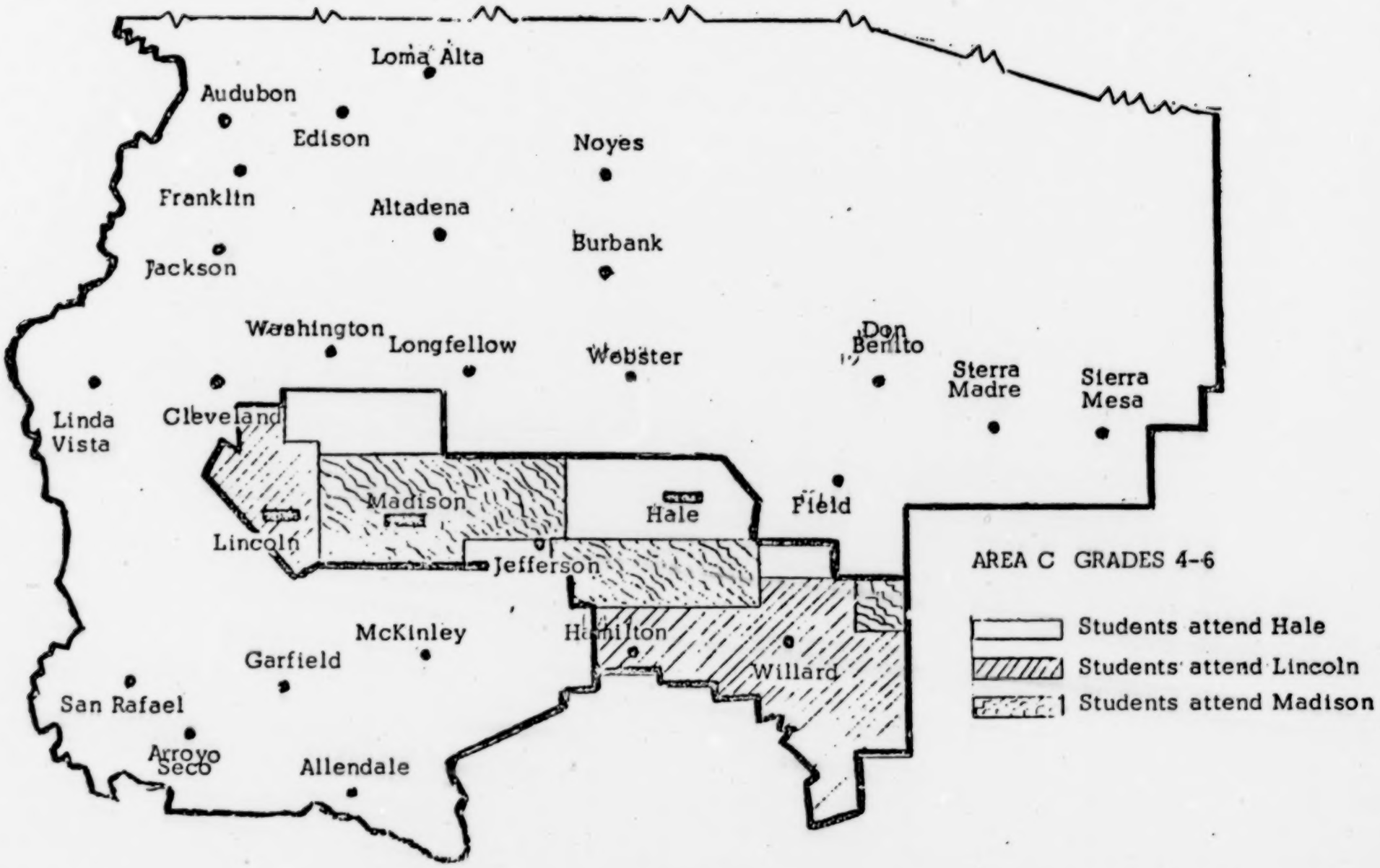
AREA "B"	Ethnic Distribution (Per cent) 1970-71					Estimated Enrollment 1970-71	1969-70 Fourth School Month Enroll. Gr. 1-6		
	Anglo - Cauc.	Negro	Spanish Sur.	Orient.	Other			Ethnic Distrib. % C&O	% N
Grades Kindergarten - Three									
BURBANK - Primary School	56.3	34.0	8.3	1.5	0	618	535	98	2
DON BENITO - Primary School	57.4	34.0	7.3	1.1	.3	741	539	95	5
FRANKLIN - Primary School	49.1	37.9	10.6	2.7	.3	700	609	18	82
WEBSTER - Primary School	61.6	33.9	3.3	1.1	.4	792	678	93	7
Grades Four - Six									
FIELD - Upper School	56.6	35.6	5.2	1.9	.7	664	541	98	2
LONGFELLOW - Upper School	55.8	31.8	8.9	2.7	.7	784	1129	89	11
WASHINGTON - Upper School	59.3	36.1	2.6	1.6	.4	681	1144	9	91


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
McKinley
Hamilton
Garfield
Willard
San Rafael
Arroyo Seco
Allendale
AREA B GRADES K-3
Students attend Burbank
Students attend Don Benito
Students attend Webster
Students attend Franklin


Loma Alta
Audubon
Edison
Noyes
Altadena
Jackson
Burbank
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Madison
Lincoln
Hale
Field
Jefferson
Garfield
McKinley
Hamilton
Willard
San Rafael
Arroyo Seco
Allendale
AREA B GRADES 4-6
Students attend Longfellow
Students attend Field
Students attend Washington

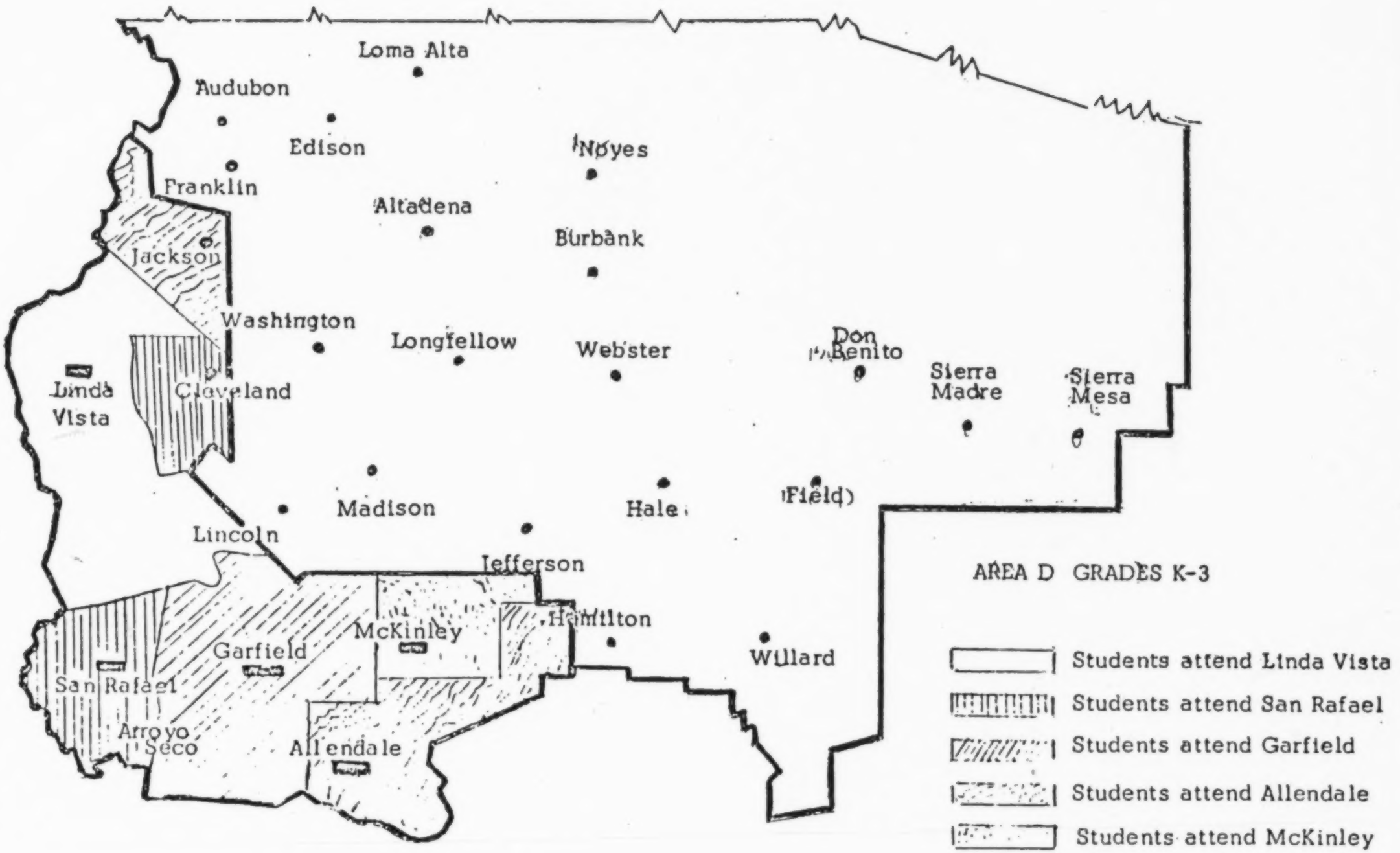
AREA "C"	Ethnic Distribution (Per cent) 1970-71					Estimated Enrollment 1970-71	1969-70 Fourth School Month Enroll. Gr. 1-6		
	Anglo.-Cauc.	Negro	Spanish Sur.	Orient.	Other			Ethnic Distrib. % C&O	% N
Grades Kindergarten - Three									
HAMILTON - Primary School	47.1	30.6	17.7	2.1	2.3	846	596	99	1
JEFFERSON - Primary School	47.7	23.7	22.6	3.1	2.7	769	857	94	6
WILLARD - Primary School	53.8	36.8	7.7	1.0	.6	891	824	100	0
Grades Four - Six									
HALE - Upper School	52.7	33.3	10.6	1.7	1.7	480	545	90	10
LINCOLN - Upper School	53.6	30.6	14.1	.9	.6	663	797	19	81
MADISON - Upper School	51.7	25.6	18.3	1.2	3.0	557	855	37	63

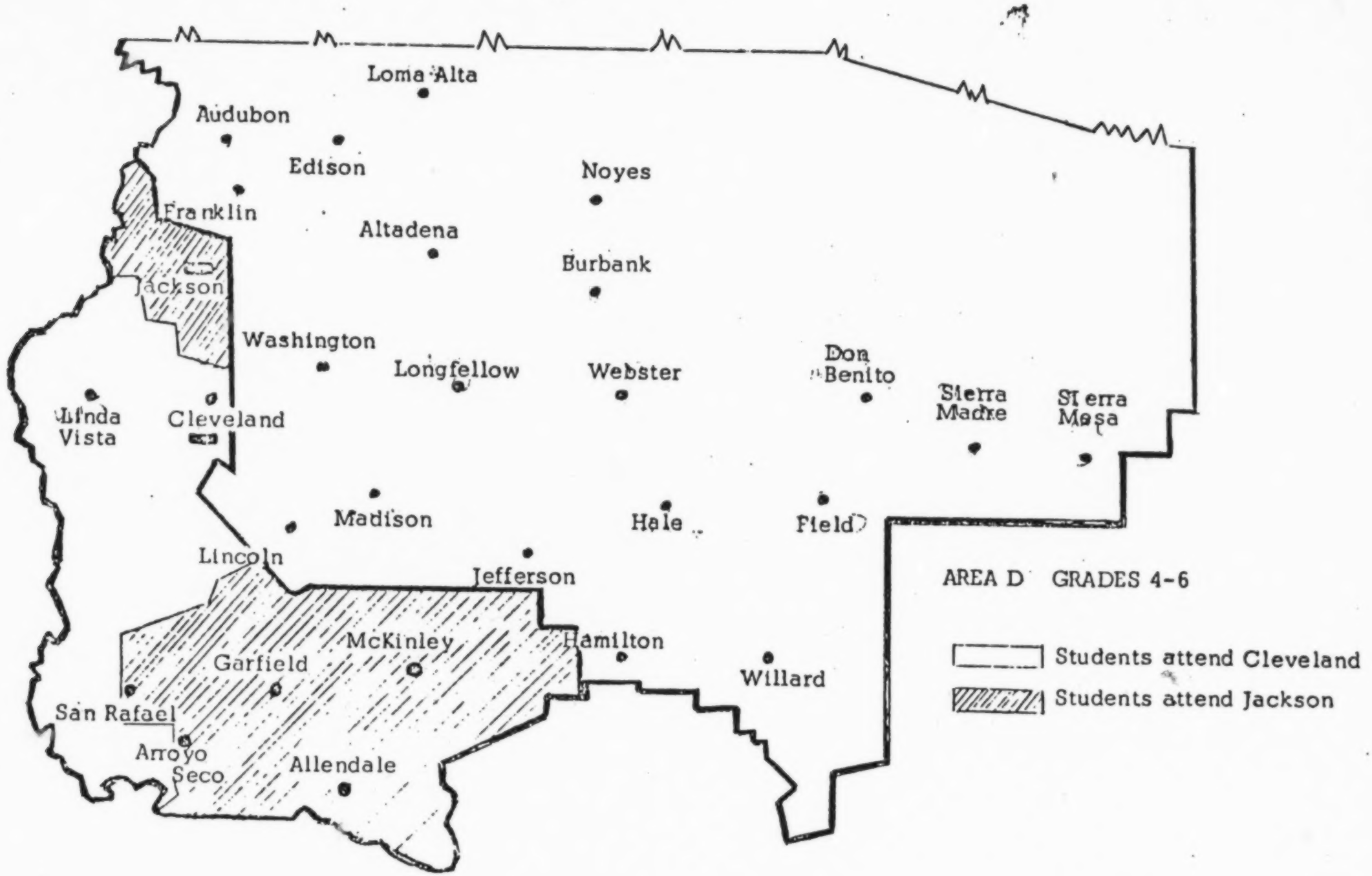

Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Jackson
Burbank
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
AREA C. GRADES K-3
McKinley
Garfield
Hamilton
Willard
San Rafael
Arroyo Seco
Allendale
Students attend Jefferson
Students attend Willard
Students attend Hamilton


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Washington
Longfellow
Webster
Don Benito
Sterra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
McKinley
Hamilton
Garfield
Willard
San Rafael
Arroyo Seco
Allendale
AREA C GRADES 4-6
Students attend Hale
Students attend Lincoln
Students attend Madison

AREA "D"	Ethnic Distribution (Per cent) 1970-71					Estimated Enrollment 1970-71	1969-70 Fourth School Month Enroll. Gr. 1-6		
	Anglo - Cauc.	Negro	Spanish Sur.	Orient.	Other			Ethnic Distrib. % C&O	% N
Grades Kindergarten - Three									
ALLENDALE - Primary School	47.7	35.7	10.0	5.5	.9	507	432	99	1
ARROYO-GARFIELD-Primary Sch.	43.8	23.5	30.8	.6	1.0	301	356	86	14
LINDA VISTA - Primary School	56.3	33.9	1.8	1.0	.5	174	176	99	1
*McKINLEY - Primary School	54.2	14.9	22.4	5.1	3.2	214	209	88	12
SAN RAFAEL - Primary School	60.4	33.9	2.9	2.6	.0	339	404	99	1
Grades Four - Six									
JACKSON - Upper School	48.6	28.7	16.4	5.0	1.2	734	654	16	84
CLEVELAND - Upper School	59.5	35.8	1.8	2.4	.2	443	513	5	95

*This school property is under consideration for future sale.


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Jackson
Burbank
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field)
Lincoln
Jefferson
Hamilton
McKinley
Garfield
Willard
San Rafael
Arroyo Seco
Allendale
AREA D GRADES K-3
Students attend Linda Vista
Students attend San Rafael
Students attend Garfield
Students attend Allendale
Students attend McKinley


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
McKinley
Hamilton
Garfield
Willard
San Rafael
Arroyo Seco
Allendale
AREA D GRADES 4-6
Students attend Cleveland
Students attend Jackson

Junior High Schools.

Phase I

Implementation of integrated junior high schools will take place in September 1970 as indicated on the enclosed map. Under this plan, the district will include four intermediate schools serving grades 7-8 on the present Eliot, McKinley, Washington, and Wilson campuses, and one school serving the ninth grade at the present Marshall campus. The ninth graders will have the advantages of an expanded elective program utilizing the facilities on both the Marshall and, to a limited degree, the Pasadena High School sites. (PHS is approximately one mile away and a shuttle bus service would facilitate this program).

Phase II

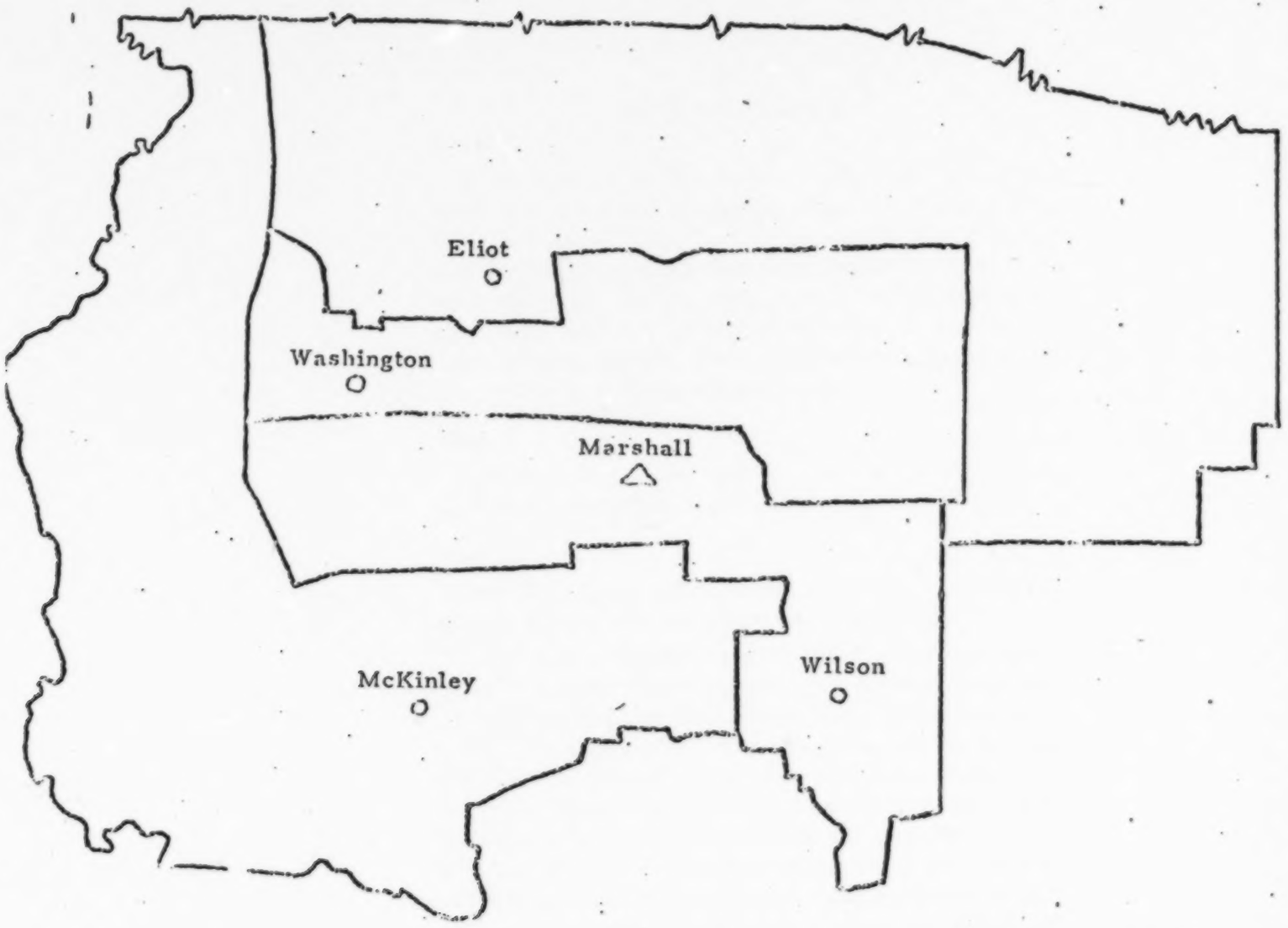
McKinley Junior High School will move to the present Blair site when funds are available through the sale of property to build a new Blair high school at the high school educational park site. Because of the increased student capacity at the Blair site, it would be possible to re-district students numerically to better utilize space in the four junior high schools at this time.

Junior High School boundaries may need to be changed from time to time to continue ethnic balance as established in September 1970.

The Junior High School Estimated Enrollment for 1970 is as follows:

School	Caucasian	%	Negro	%	Other	%	Total
McKinley	661	53.4	356	28.7	222	17.9	1239
Wilson	679	56.0	358	29.6	174	14.4	1211
Eliot	726	58.5	405	32.6	110	8.9	1241
Washington	553	59.8	304	32.9	68	7.3	925
Total	2619	56.7	1423	30.8	574	12.5	4616

9th Grade at Marshall Junior High School=2,276



Junior High Schools, 7th and 8th Grades
9th Grade at Marshall

Senior High Schools.

Phase I

In September 1970, the incoming 10th grade class at each senior high school will be ethnically balanced. The size of the classes will be adjusted to be more comparable than at present, with the idea in mind that each 10th grade class will have the same ethnic and numeric composition when the high school educational park is implemented. New district lines will be drawn to accomplish this. The boundaries will be drawn so that there will be no Open District henceforth.

Phase II

John Muir High School will be moved to the area of PHS as funds are available through the sale of property.

Phase III

Blair High School will be moved to the area north of PHS as funds are available through the sale of property.

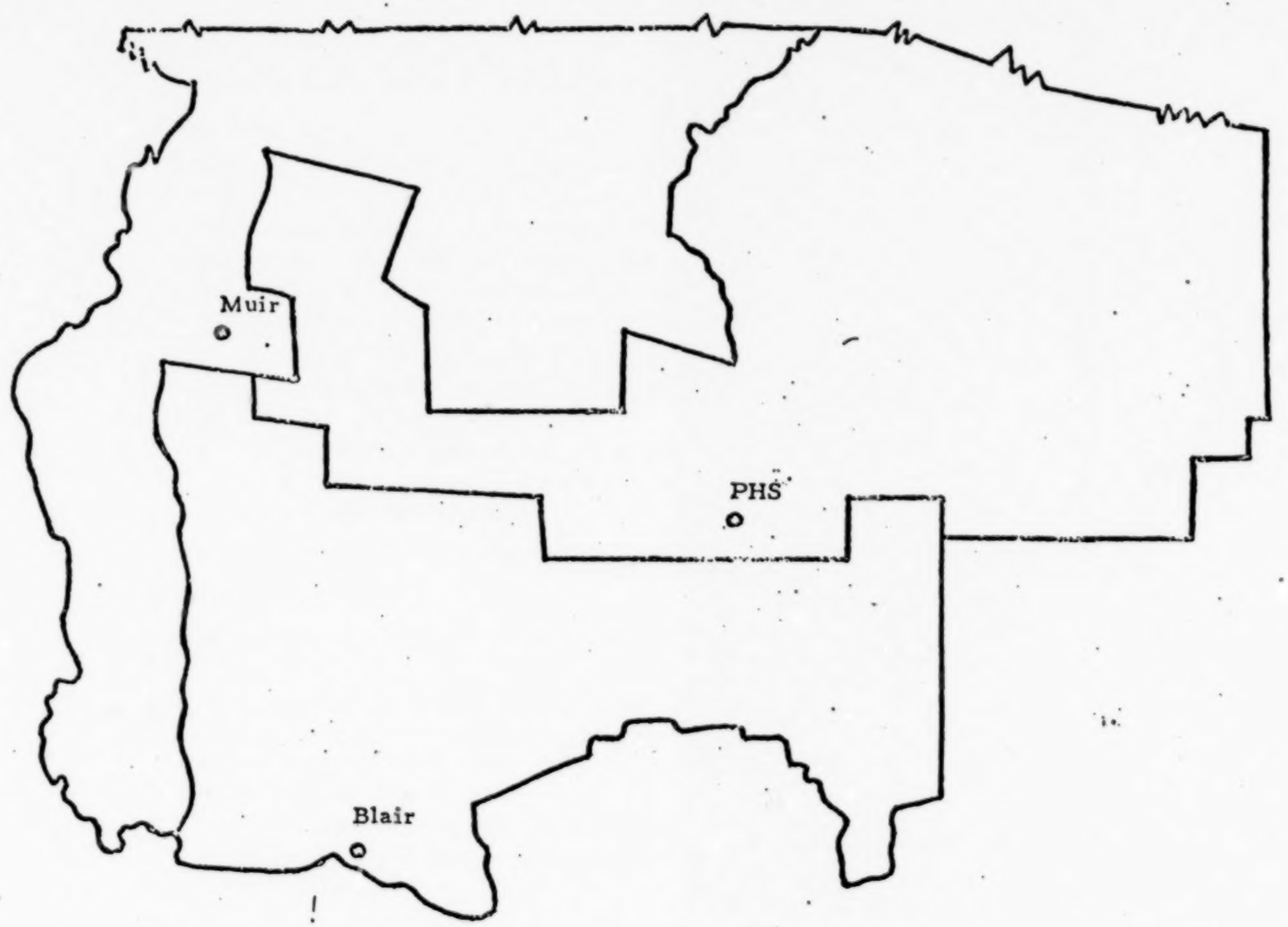
Phases II and III could be implemented at the same time if funds are available. The completed high school educational park in the present Pasadena High School—Victory Park area will be a combination of three individual high schools and the 9th grade school on the Marshall Junior High School site. Students will have equal opportunities on the high school level. Each of the three high schools will be numerically and ethnically balanced. The placement of the three high schools at one site will allow students and staffs to share some facilities and programs while continuing with others independently. Facilities can be developed at the high school educational park for joint use which would be financially impossible to duplicate on various campuses.

Foothill High School

Foothill High School has not been included in these plans because of its unique nature. This is the continuation high school in the Pasadena Unified School District. Students are assigned to this school during the school year when it is seen that they are not making satisfactory adjustment, for various reasons, in their regular school. As a result, there is a continual change in the composition of the student body and a significant fluctuation in the enrollment. Enrollment might increase from 150 to 400 students within a month.

The Senior High School Estimate Enrollment for 1970 is as follows:

School	Caucasian	%	Negro	%	Other	%	Total
Blair-10th	377	57.6	156	23.8	122	18.6	655
11th	276	54.8	139	27.6	89	17.6	504
12th	297	58.7	118	23.3	91	18.0	506
Total	950	57.1	413	24.8	302	18.1	1665
Muir-10th	453	62.5	210	29.0	62	8.5	725
11th	368	47.2	292	37.4	120	15.4	780
12th	319	49.7	229	35.7	94	14.6	642
Total	1140	53.1	731	34.0	276	12.9	2147
PHS 10th	563	61.5	274	29.9	79	8.6	916
11th	822	77.9	162	15.3	72	6.8	1056
12th	971	83.8	128	11.1	59	5.1	1158
Total	2,356	75.3	564	18.0	210	6.7	3130
Total	4,446	64.0	1,708	24.6	788	11.4	6942



Senior High School Zones

34

Sibling, Transfer Permit, and Senior Policies.

Sibling Policy

Present policy of the Board of Education provides the following:

> When attendance zones are changed which would require the younger child of a family to attend a different school than the one his older brother/sister attends, then the following choices are available to the family:
>
> 1. The younger child may enroll at the school his older brother/sister attend, or enroll in the school located in his new residence-attendance zone.
> 2. The older brother/sister may remain at his school of last attendance, or enroll in the school located in his new residence-attendance zone.

The above policy shall not be continued.

Transfer Permit Policy

Present policy of the Board of Education provides the following:

> At all grade levels, approval of transfer permit requests are considered in hardship cases involving family circumstances, and/or medical, safety, psychological, or curriculum considerations.
>
> In addition to the above, approval of private child care and children center transfer permit requests shall be considered at the elementary level.

The above policy shall be continued with added emphasis on screening and careful review of each request in order to ascertain that approval is warranted in urgent and valid cases only.

Senior Policy

Present policy of the Board of Education shall be extended as follows:

1. Present kindergarten, 1st and 2nd grade pupils now enrolled at a school under Plan VI or under the Open Transfer Policy, shall be permitted to continue at their school of attendance, providing that this school is established as a primary grade school. However, if the school of their present attendance is changed to an upper grade school, they shall attend the school established as their primary grade school.
2. Present 4th and 5th grade pupils now enrolled at a school under Plan VI or under the Open Transfer Policy, shall be permitted to continue at their school of attendance, providing that this school is established as an upper grade school. However, if the school of their present attendance is changed to a primary school, they shall attend the school established as their upper grade school.
3. Present 10th and 11th grade students now enrolled at a school under the Geographic and Controlled Selected Open District Policy or under the Open Transfer Policy, shall be permitted to continue at their school of attendance.

Plan VI, the Open Transfer Policy, and the Geographic and Controlled selected Open District were instituted in order to improve ethnic distribution of students among the schools of all grade levels. subject to space availability of the individual schools.

CONSTRUCTION.

Rehabilitation and/or Construction of Elementary Schools to Meet Field Act Standards

Schools involved are Burbank, Edison, Jefferson, Linda Vista and Sierra Madre.

Background—Engineering drawings for the possible structural rehabilitation of all five schools are in progress. The District is now considering these alternates:

1. Rehabilitating (making the buildings structurally safe to meet the Field Act standards only).
2. Demolition and replacement with relocatable classrooms.
3. New construction, using the 1967 bond funds allocated, to build new administrative and classroom areas to the extent the allotted funds would allow and to maintain the balance of classrooms required in the relocatable classrooms now on the sites.

Whichever alternative is ultimately chosen, it will have little effect upon the ethnic composition of the elementary schools involved because adjustments in attendance zones will be made, if necessary, to insure that no school has a majority of any minority group.

High School Education Park

Construction for the high school educational park will take part in two phases.

Minimum Costs:	Phase I	$ 9,200,000
	Phase II	3,500,000
		$12,700,000
	Renovation of Washington Jr. High	500,000
		$13,200,000

This total is based upon Davis, MacConnell & Ralston's study of 1968. Added to their costs is a 6% per year inflation factor.

The $12,700,000 construction estimate should be considered the very minimum that would be needed.

In the present estimates for construction and renovation, it should be considered that it would take approximately nine months for planning, another nine months for architects' plans and bidding, and 24 months for construction. The 3½ years should be the very minimum amount, and it should be considered that it may take a time span of 3½ to 7 years to reach the ultimate goal.

Completion of Phase I would provide adequate housing to insure a good educational program. Phase II is necessary to meet the ultimate goal, but is not necessarily vital to the immediate educational program.

Financing required for the educational park would come from two sources. Approximately $1,000,000, which was allocated for Muir rehabilitation from the 1967 bond issue, would become available. Approximately $8,200,000 would be made available through the sale of Muir High School, the Education Center (to be moved to the present Washington Junior High School site), and McKinley Elementary, Washington Junior High School north field, unused site adjacent to Field Elementary, unused site adjacent to Don Benito Elementary, and McKinley Junior High (to be moved to the Blair site). It is estimated that the sales of all properties would be consumated within a minimum of three years, and a maximum of six years. The estimates for the sale of properties is based on present zoning.

Other sources of additional funding for senior high school educational park are being investigated. These include the possible availability of $34,080,000 from the April, 1969 bond

issue, which received greater than a 50% vote but less than the 66⅔% presently required in California. District litigation to declare the bond issue valid on the "one man one vote" premise will be heard by the State Supreme Court soon. Possi-

bilities of lease-sale arrangements and joint-powers agreements are also being investigated.

RELOCATABLES.

Elementary

Space Utilization

Complete implementation of the area plan will result in the reallocation of 42 permanent classrooms and 28 relocatable classrooms. It will be necessary to move 19 relocatable classrooms to other sites to accommodate adjusted enrollments under the area plan. The remaining classrooms will be used to accommodate classes for Special Education, Opportunity and ESEA programs. Attached is a detailed breakdown of the classroom requirements at various schools.

Time Frame

The moving of the relocatables would have to take place between the end of this school term and the beginning of the fall term. This is an ambitious effort to complete, but it is felt that between now and June 15 it is possible to hire an architect, get State approval and receive bids for relocatables, as well as get board approval. All that would be left would be the actual physical movements of the relocatables. Also, preliminary electrical work can be done and foundations poured between now and the end of school. These classrooms, of course, would not be available for the summer school program.

Costs

Move 19 relocatables at $2,750 each = $52,250

Architect Fees	$ 150
OAC Fees	50
Physical Moving	1,100
Foundations	800
Utilities	650
	$2,750

CLASSROOM ADJUSTMENTS

AREA "A"

BASE SCHOOL	Est. Enrollment	Rooms Available Present		Rooms Needed	Adjustment	Unassigned Rooms Available after Adjustment		Number Relocatables to be Moved onto Site
		Permanent	Relocatables			Permanent	Relocatables	
K-3								
Audubon	704	15	4	21	+2			2
Noyes	429	11		13	+2			2
Sierra Madre	650	4	16	20	0			
Sierra Mesa	565	16		18	+2			2
4 - 6								
Altadena	722	27		24	-3	3		
Edison	568	5	15	20	0			
Loma Alta	633	18	2	21	+1			1
TOTALS						3	0	7

CLASSROOM ADJUSTMENTS

AREA B

Base School	Estimated Enrollment	Rooms Available Present		Rooms Needed	Adjustment	Unassigned Rooms Available after Adjustment		Number Relocatables to be Moved onto site
		Permanent	Relocatable			Permanent	Relocatable	
K - 3								
Burbank	618	9	8	18	+1			1
Don Benito	741	24		22	-2	2		
Franklin	700	15	6	21	0			
Webster	792	22		25	+3			3
4 - 6								
Field	664	22		24	+2			2
Longfellow	794	27	3	27	-3		3	
Washington	681	30	8	24	-14	6	8	
Totals						8	11	6

CLASSROOM ADJUSTMENT

Area "C"

BASE SCHOOL	Est. Enrollment	Rooms Available Present		Rooms Needed	Adjustment	Unassigned Room Available after Adjustment		Number Relocatables to be Moved onto Site
		Permanent	Relocatables			Permanent	Relocatables	
K-3								
Hamilton	846	18	2	25	+5			5
Jefferson	769	10	17	24	-3		3	
Willard	891	30	1	28	-3	2	1	
4-6								
Hale	480	20	3	17	-6	3	3	
Lincoln	663	34		23	-11	11		
Madison	557	19	10	20			9	
TOTALS						16	16	5

CLASSROOM ADJUSTMENTS

AREA "D"

Base School	Estimated Enrollment	Rooms Available Present		Rooms Needed	Adjustment	Unassigned Rooms Available After Adjustment		Number Relocatables to be Moved onto Site
						Permanent	Relocatable	
K - 3								
Allendale	507	14	3	16	-1		1	
Arroyo-Garfield	301	13		10	-3	3		
Linda Vista	174	1	4	6	+1			1
Kinley	214	9		7	-2	2		
San Rafael	339	16		11	-5	5		
4 - 6								
Cleveland	443	20		15	-5	5		
Jackson	734	19	6	25	0			
Totals						15	1	1

Relocatables

Secondary

Space Utilization

It is assumed that eight classrooms will be needed at Marshall Junior High School. These will be available as follows:

School	Relocatables Available	No. to be Moved to Marshall
Washington Jr. High	2	2
Eliot	2-4	2
Wilson	2	0
Pasadena High School	2-6	4
Total to be Moved		8

Time Frame

It is expected that these relocatables could be moved during the summer of 1970.

Costs

It is assumed that the average cost to move a relocatable classroom will be $2,750. Therefore, the cost of moving eight relocatables will be $22,000.

—33—

TRANSPORTATION.

Cost Estimates

The estimated expense to transport pupils is based on the following assumptions:

1. That all pupils attending schools outside their normal areas will ride the bus.
2. That there would be three runs each per bus, a.m., and p.m. for elementary pupils; and two runs each per bus, a.m. and p.m. for secondary pupils.

3. That the expense is based on the present contract cost per bus.
4. That starting times are staggered.

	Total Cost	Estimated* State Re-imbursement	Net Cost
Elementary Area Plan	$ 485,000	$120,000	$365,000
Jr. High 9th Grade Plan	325,000	75,000	250,000
Sr. High Plan III	220,000	15,000	205,000
	$1,030,000	$210,000	$820,000

*Does not include possible federal funding.

Since the district has limited budget which is needed to continue a strong educational program, the district is investigating various outside sources of funding for the transportation necessary to implement this program, and has in mind the assurances given repeatedly in Federal Court by Attorney Charles Qaintance of the U. S. Justice Department, that funds would be made available to provide for transportation costs to implement a desegregation plan.

—34—

Additional facts based on previous assumptions:

50% of elementary pupils to be transported (approximately 8000 students)

52% of junior high pupils to be transported (approximately 3600 students)

27% of senior high pupils to be transported (approximately 1900 students)

Requires 106 buses at a cost of $5,800 per day.

—35—

Part II.

Plan for Assignment, Hiring, and Promotion of Teachers and Administrators

Elementary School Teacher Assignment.

There are twenty-seven elementary schools with approximately 650 teachers. The annual turnover of teachers due to resignation and retirement averages 15% resulting in approximately 100 elementary school teacher vacancies to be filled each year.

In the interest of retaining high standards of employment and in considering the shortage of minority teachers available, the plan proposes to reduce the racial segregation throughout the elementary schools as follows.

By September 1970 each elementary school will have assigned no fewer than 15% and no more than 45% minority teachers and no fewer than 2 minority teachers in any one school except where the total number of teachers is less than 8 in which case there will be at least 1 minority teacher.

By the opening of school in September 1970 we will have increased the number of minority group teachers significantly. Each year thereafter, a a recruiting program will be so planned as to increase the number of each minority to more closely approximate the racial composition of the student population.

The recruitment program as outlined elsewhere is directed toward an active recruitment of minority groups including Negroes, Spanish-Americans, and Orientals.

—37—

Junior High School Teacher Assignment.

There are five junior high schools with approximately 295 teachers. The annual turnover of teachers due to resignation and retirement averages 15% resulting in approximately 44

junior high school teacher vacancies to be filled each year. In addition to this number, in September 1970 thirteen teachers presently assigned to the junior high schools who were transferred September 1969 because of the senior high school reduction from six to five periods, will be returned to the senior high school resulting in a total of approximately 57 vacancies at the junior high school level.

In the interest of retaining high standards of employment and in considering the shortage of minority teachers (which is even more acute at the secondary level than at the elementary level) the plan proposes to reduce the racial segregation throughout the junior high schools as follows.

By September 1970 each junior high school will have assigned no fewer than 15% and no more than 45% minority teachers.

By the opening of school in September 1970 we will have increased the number of minority group teachers significantly. Each year thereafter, a recruiting program will be so planned as to increase the number of each minority to more closely approximate the racial composition of the student population.

The recruitment program as outlined in another part of this plan is directed toward an active recruitment of minority groups including Negroes, Spanish-Americans, and Orientals.

Senior High School Teacher Assignment.

There are three senior high schools with approximately 263 teachers. With the restoration of the six period day the number of teachers at the senior high school level will be increased to approximately 307. The annual turnover of teachers due to resignation and retirement averages 15% resulting in approximately 39 senior high school teacher vacancies to be filled each year. In September 1970 forty-four (44) additional teachers will be required to restore the six period day for all students resulting in 83 teacher vacancies at the senior high school level.

Thirteen of these vacancies will be filled by junior high school teachers returning to their positions in the senior high schools resulting in a total of approximately 70 vacancies at the senior high school level.

In the interest of retaining high standards of employment and in considering the shortage of minority teachers (which is even more acute at the secondary level than at the elementary level) the plan proposes to reduce the racial segregation throughout the senior high schools as follows.

By September 1970 each senior high school will have assigned no fewer than 15% and no more than 45% minority teachers.

By the opening of school in September 1970 we will have increased the number of minority group teachers sufficiently to meet the goals named above. Each year thereafter, a recruiting program will be so planned as to increase the number of each minority to more closely approximate the racial composition of the student population.

The recruitment program as outlined in another part of this plan is directed toward an active recruitment of minority groups including Negroes, Spanish-Americans, and Orientals.

Recruitment.

It is estimated that the Pasadena Unified School District will have 100 teacher vacancies at the elementary school level and 130 vacancies at the secondary level which must be filled before the opening of school in September 1970.

In planning the recruitment program we have selected interviewing locations where minority group candidates would be available. Assistance was requested from the district Office of Intergroup Education and the State Department of Intergroup Relations. The California State Department of Education publication entitled "Recruiting Minority Teachers" was used gen-

erously for reference. Conferences were held with experts in the field of teacher recruitment. The Los Angeles County Office, college and university placement offices, teacher association offices (both California Teachers Association and the American Federation of Teachers), and Association of Mexican American Educators were contacted.

There are four phases to the program.

I. Local recruitment will include

A. An organized program of teacher referrals by minority employees of the school district. Members of this group will contact minority persons with teaching credentials who live in the Pasadena area who may wish to apply for positions in Pasadena.

B. Inquiries by telephone and by letter from teachers who wish to apply will be answered and interviews will be scheduled.

C. An advisory committee composed of recently hired minority personnel will be formed to help recruit teachers who might be interested in a

position with the Pasadena Unified School District. Members of this committee will write individual letters to their former colleges and acquaintances telling of their experiences in Pasadena concerning living conditions, climate, employment opportunities and the educational program. Through these contacts minority educators will be encouraged to apply for teaching and administrative positions in the Pasadena Unified School District.

II. Southern California recruitment will include

A. College and University placement offices. Appointments have been made for recruitment teams to visit the following college and university placement offices.

California State College at Los Angeles
California State College at Long Beach
California State College at Fullerton
California State College at San Bernardino
San Fernando Valley State College
California State Polytechnic College at Pomona
University of California at Los Angeles
University of California at Irvine
University of California at Riverside
University of Redlands
University of Southern California
Pepperdine College
San Diego State College
California Western University

III. Out-of-area recruitment will include college and university placement offices outside of Southern California. Appointments have been planned for recruitment teams to visit the following placement offices.

University of California, Santa Barbara
Fresno State College
University of California, Berkeley
University of San Francisco
San Francisco State College
Stanford University

San Jose State College
California State College, Hayward
Sacramento State College
College of the Pacific
Northern Arizona State, Flagstaff, Arizona
Arizona State College, Tempe, Arizona

University of Arizona, Tucson, Arizona
New Mexico State, Las Cruces, N. M.
University of New Mexico, Albuquerque, N. M.
Adams State College, Alamoso, Colorado
University of Denver, Denver, Colorado
Loretta Heights College, Denver, Colorado
University of Colorado, Boulder, Colorado
Colorado State College, Greeley, Colorado
Colorado Sate University, Fort Collins, Colorado
North Texas State, Denton, Texas
University of Houston, Houston, Texas
Texas Southern, Houston, Texas
Louisiana State, Baton Rouge, Louisiana
Dillard, New Orleans, Louisiana
Xavier College, New Orleans, Louisiana
Tulane University, New Orleans, Louisiana
Grambling College, Grambling, Louisiana

IV. A recruitment letter outlining the teacher needs in Pasadena for September 1970 will be sent to college and university placement offices thoughout the Mid-west and East and to candidates from whom letters of inquiry are received in the Personnel Department. Advertisements will be placed in large city newspapers. Recruitment centers will be established in Chicago, Illinois; Detroit, Michigan; Pittsburgh, Pennsylvania; and Columbus, Ohio. The establishment of additional centers will be governed by the response to the advertising program.

Placement offices and recruitment centers will be visited by recruitment teams under the administration of the Personnel Department. School personnel, both teachers and administrators, will serve as members of interviewing teams. Membership will include representatives of varied ethnic and racial groups.

Inservice training sessions will be held by the Personnel Department. During these sessions team members will be instructed in interviewing techniques and evaluation procedures. In the inservice training sessions and in advertising materials distributed both locally and nationally, the need for additional minority teachers will be stressed.

Teacher Selection.

This program of selection has been planned with a concern for the educational welfare of the students. Although it is committed to the hiring and promotion of minority groups, there is an equal commitment to the maintaining of high standards of competence among all those who are employed. Anything less than this commitment would result in irreparable damage to the educational program of present and future generations of students.

The decision to employ a teacher should be a committee decision (at the district and/or school level) and not the sole responsibility of an administrator, a consultant, or the Director of Personnel. The committee members will interview candidates, review applications, college transcripts, references, and other materials submitted by the applicants.

The Personnel Department will refer candidates to individual schools where vacancies occur. The administrator in charge of the school will be requested to make a selection from no more than five such referrals.

When a majority of the committee members find a candidate unacceptable, notice will be sent to the candidate. Written documentation must be made and kept as a part of the Personnel Department files.

In referring teachers to schools, the Personnel Department will be responsible for maintaining the 15%-45% range of

ethnic balance within the school district. Care will also be given to maintaining a balance of new and experienced teachers in each school.

—44—

Recruitment and Selection of Administrators.

There are 57 non-teaching certicated assignments in the Education Center.

There are 76 non-teaching assignments located in the schools.

This total of 133 non-teaching certificated assignment includes all school administrators, directors, supervisors, consultants, counselors, school psychologists, and others who have regular assignments outside the classroom. Of the 133 such assignments 27 are held by minority personnel, 18 of which are Negro.

Vacancies in these positions are filled from eligible lists established by examination. At the present time the examination consists of an oral interview, evaluation of training and evaluation of experience by a committee appointed for this purpose. Every such committee this past year has had at least one minority group representative. Announcements for these positions are distributed to all school personnel, to college and university placement offices in Southern California and to a mailing list recommended by the Department of Intergroup Education which includes agencies and districts where minority personnel may be available. The announcement contains the title of the position, the minimum requirements for entrance, desirable qualifications, job duty statement, and the salary. All applicants who meet the minimum entrance requirements are admitted to the examination. Applicants who do not meet minimum entrance requirements are so informed by the Personnel Department.

When vacancies occur, the top five names on the eligible list are referred to the appointing authority for consideration. All appointments must be approved by the Superintendent.

A positive recruitment program paralleling the teacher recruitment program will actively seek out minority group administrators, supervisors, and counselors who are interested in employment with the Pasadena Unified School District. As a

—45—

part of this recruitment program, bulletins concerning job opportunities will be sent to college and university placement offices and other professional organization offices. In these bulletins, minority candidates will be especially encouraged to apply.

Appeal Procedure.

Candidates who are unsuccessful in their application for administrative and other non-teaching certificated positions will have the right of appeal. Requests for review should be addressed to the Administrative Director for Personnel and appointments will be scheduled before the Review Board hereafter described.

—46—

Review Procedure.

It is hoped that any candidate who has been unsuccessful in his application for an administrative position in the Pasadena Unified School District would feel free to discuss the results of his evaluation with the Administrative Director for Personnel. However, there are occasions when the candidate wishes to go beyond the Personnel Department and present his case to a higher authority.

In order to provide this opportunity to candidates for promotional positions, it is proposed that a special Review Board be established. This Board will consist of:

One member appointed by the Negotiating Council representing the elementary division

One member appointed by the Negotiating Council representing the secondary division

One member appointed by the Assistant Superintendent for Elementary Education

One member appointed by the Assistant Superintendent for Secondary Education

One member appointed by the Department of Intergroup Education.

This Board will have a revolving membership so that at all times at least two members of the committee are experienced. At least two meetings of the Board will be held each semester.

Any applicant who has applied for a promotional position in the Pasadena Unified School District and who has not been approved in the examination or by the evaluating committee will have the right to appeal this decision. This appeal must be in writing and addressed to the Director of Personnel who in turn will arrange for an appointment for the candidate at the next meeting of the Review Board. The Board will review the application and all other materials submitted by the candidate at time of application and will offer the opportunity for the candidate to appear before the Board in person.

—47—

Assignment of Substitutes.

Competent substitutes are in critical shortage. They are hard to find and hard to keep. Because of the very nature of the job, many competent teachers prefer regular or long term assignments. Replenishing the supply of substitutes is a daily necessity. The Personnel Department urges substitute teachers to make themselves available for all assignments.

In order to make certain that minority substitutes receive equal consideration, all substitute cards have been identified as to race and the substitute clerks have been instructed that sub-

stitutes will be assigned to positions regardless of the racial composition of the school.

Recruitment of additional substitutes is difficult at best. Recently a change in policy was adopted which permitted teachers on leave to serve as day-to-day substitutes. Requests are being made to local chapters of the PTA for former teachers now housewives to make themselves available for substitute service.

Within the shortage of substitutes, maintaining a reasonable standard of quality is difficult. In an effort to make certain that unqualified teachers are not retained, principals are requested to make regular reports on substitutes' services and those who prove unsatisfactory will be terminated.

—48—

DEFENDANTS' SUBMISSION OF AMENDMENT TO PLAN.

Filed 2 March 1970.

Defendants herewith submit their amendment and modification to the Plan for Integration dated February 18, 1970 and heretofore submitted under date of February 18, 1970. Said amendment and modification is attached hereto as Exhibit "A".

Dated: March 2, 1970.

POLLOCK, PALMER & METZLER,
JOHN P. POLLOCK,
JOHN ANDREW MILLER,
By /s/ JOHN P. POLLOCK,
John P. Pollock,
Attorneys for Defendants.

PLAN FOR THE INTEGRATION

OF THE

PASADENA UNIFIED SCHOOL DISTRICT

SUPPLEMENT NUMBER I

Pasadena Unified School District
Pasadena, California
February 27, 1970

PREFACE.

The Division of Elementary Education staff has reviewed the "Plans for Integration of the Pasadena Unified School District" as submitted to Judge Manuel Real, and found that further refinements should be made in areas that would:

- Reduce islands in attendance areas
- Achieve better contiguous attendance areas
- Achieve better proximity to school facilities
- Reduce the costs in implementing the plan by reducing the number of relocatables needed
- Correct clerical errors which affected ethnic count in Area "A"

Pasadena Unified School District
Division of Elementary Education
Pasadena, California

INTER-AREA CHANGES

Area A to B

Changes	Justification
Zone 7 Blocks 5 (Change I) From: Area A Schools: Primary Audubon Upper Loma Alta To: Area B Schools: Primary Franklin Upper Field	This will make it possible for students to attend primary school across the street from their homes.*
Zone 18 Blocks 8, 9, 10, 11, 12 (Change II) From: Area A Schools: Primary Audubon Upper Altadena To: Area B Schools: Primary Burbank Upper Washington	This change was made to off-set the slight inbalance created by the area change listed above.*
Zone ..... Blocks ..... From: Area ..... Schools: Primary ..... Upper ..... To: Area ..... Schools: Primary ..... Upper	* If a change is made between areas, it is necessary to change both primary and upper grade schools.
Zone ..... Blocks ..... From: Area ..... Schools: Primary ..... Upper ..... To: Area ..... Schools: Primary ..... Upper	

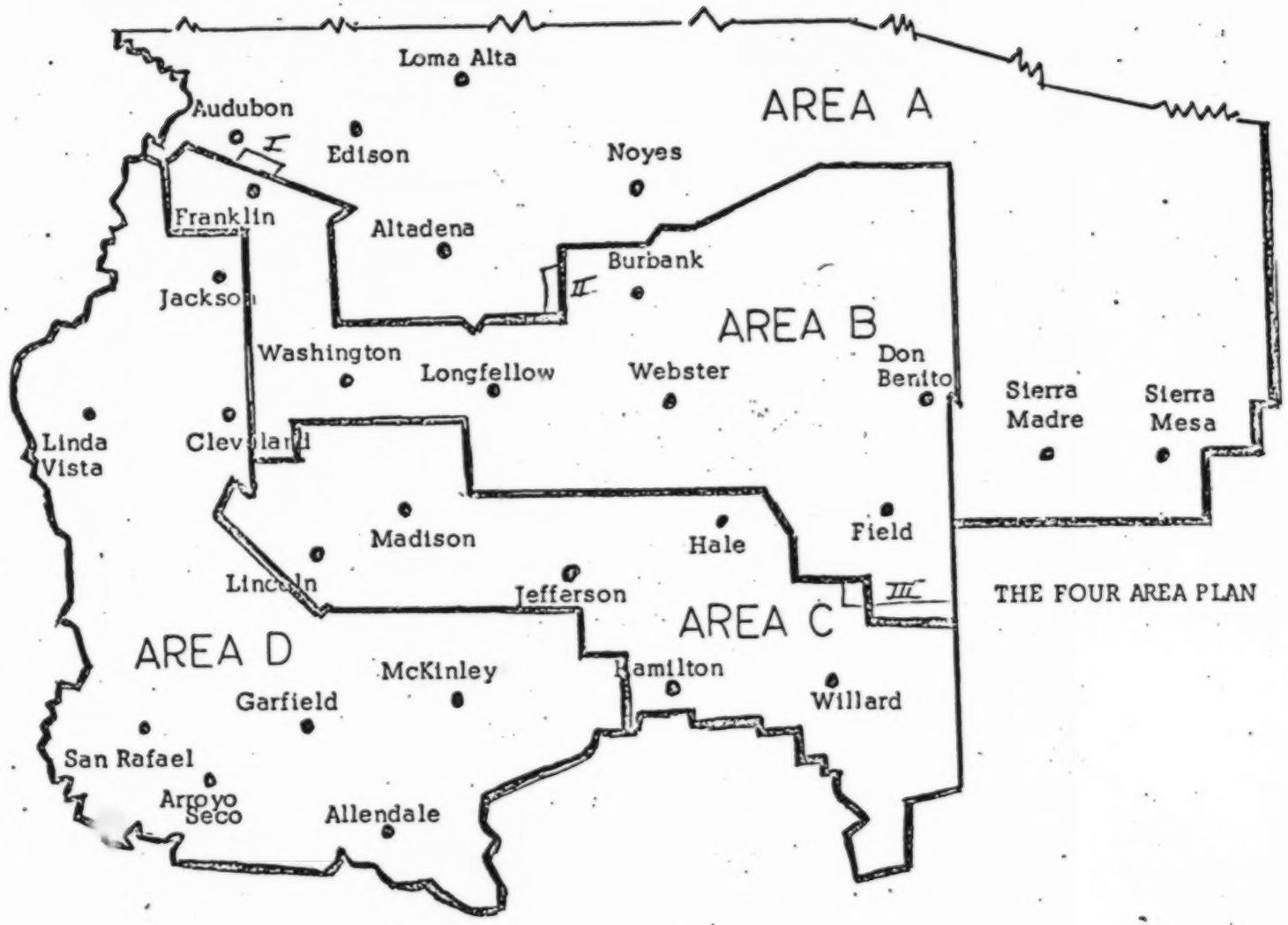
Pasadena Unified School District
Division of Elementary Education
Pasadena, California

INTER-AREA CHANGES

Area "B to C"

Changes	Justification
Zone 69 (Change III) Blocks 20, 21, 22, 23, 24, 25, 26, 27, 28 From: Area B Schools: Primary Burbank Upper Field To: Area C Schools: Primary Willard Upper Lincoln	To make the freeway a natural boundary to the North for the primary school and provides a contiguous attendance area for the upper grade Lincoln School.
Zone ..... Blocks ..... From: Area ..... Schools: Primary ..... Upper ..... To: Area ..... Schools: Primary ..... Upper	
Zone ..... Blocks ..... From: Area ..... Schools: Primary ..... Upper ..... To: Area ..... Schools: Primary ..... Upper	
Zone ..... Blocks ..... From: Area ..... Schools: Primary ..... Upper ..... To: Area ..... Schools: Primary ..... Upper	

62



THE FOUR AREA PLAN

64

Pasadena Unified School District
Division of Elementary Education
Pasadena, California

Area "A"

INTRA-AREA CHANGES

Changes	Justification
Zone 11 Change I Blocks All From: Schools: Primary _____ Upper Edison To: Schools: Primary _____ Upper Altadena	Geographically the area is in close proximity to Altadena School, and the ethnic balance will be maintained.
Zone 6 Change II Blocks 4, 5, 6, 8, 17, 18, 19, 20, 21, 22, 23, 24, 25 From: Schools: Primary Sierra Madre Upper _____ To: Schools: Primary Noves Upper _____	The present main building at Sierra Madre is closed due to rehabilitation and 16 relocatables presently occupy playground space for the K-6 present enrollment of approximately 550. This change will not necessitate the additional relocatable classroom at Sierra Madre.
Zone 48 Change III Blocks 9, 10, 11, 15, 19 From: Schools: Primary Sierra Madre Upper _____ To: Schools: Primary Sierra Mesa Upper _____	Because of clerical coding error, the ethnic balance was reported incorrectly. This change is to correct the error.

Zone .....
Blocks .....

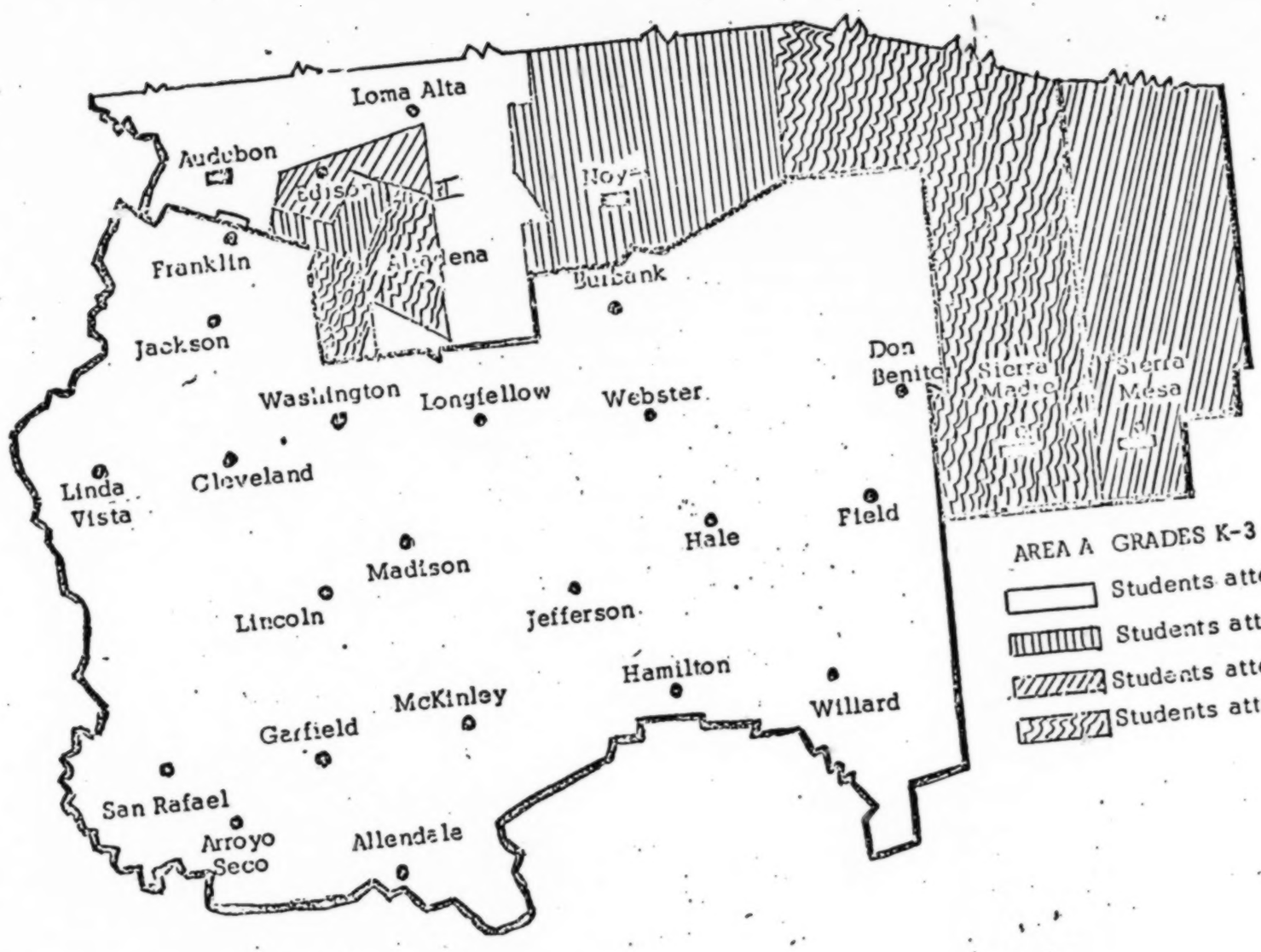
From: Schools: Primary .....
Upper .....

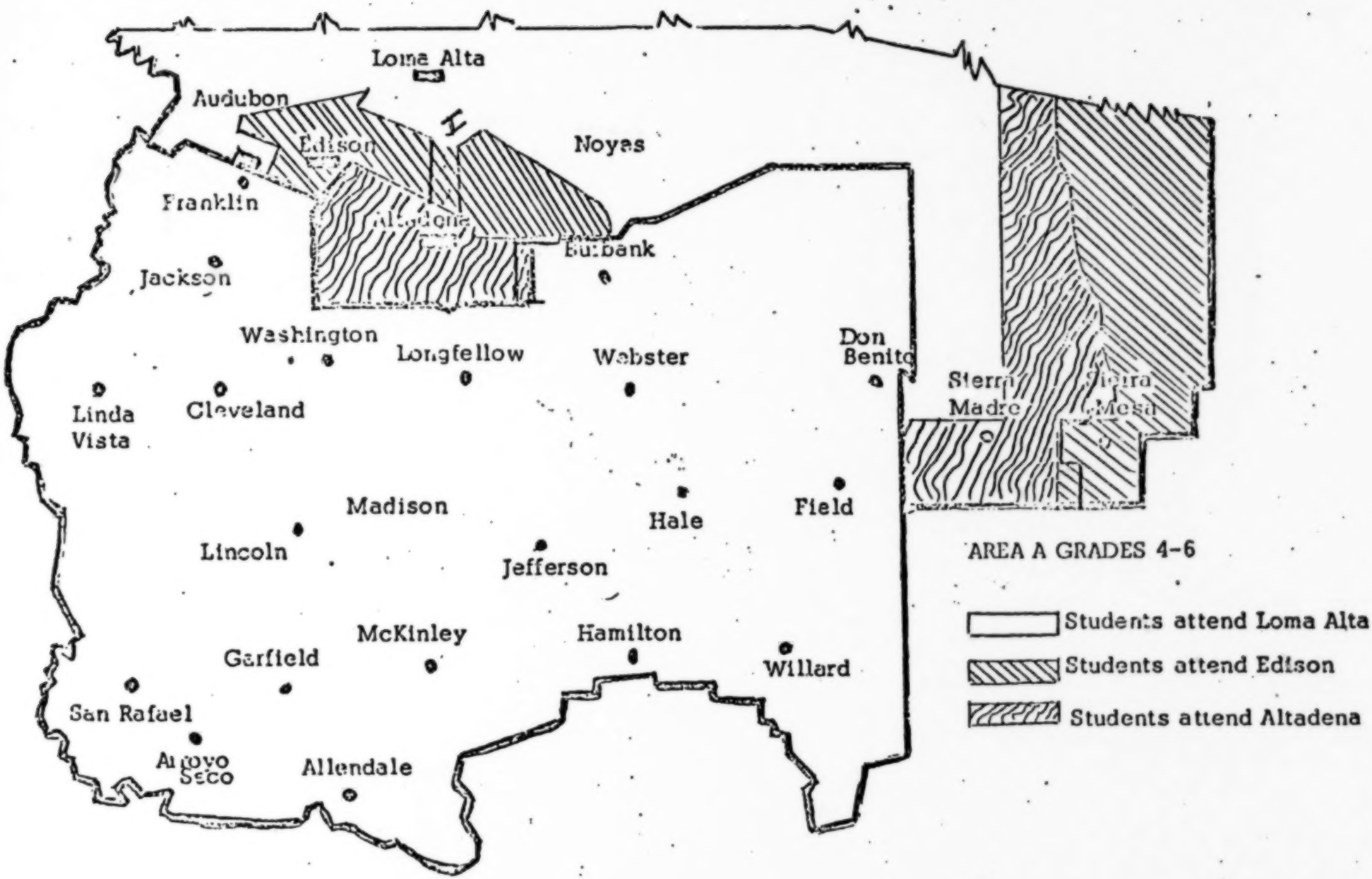
To: Schools: Primary .....
Upper .....

Zone .....
Blocks .....

From: Schools: Primary .....
Upper .....

To: Schools: Primary .....
Upper .....




Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
McKinley
Hamilton
Garfield
Willard
San Rafael
Arroyo Seco
Allendale
AREA A GRADES 4-6
Students attend Loma Alta
Students attend Edison
Students attend Altadena

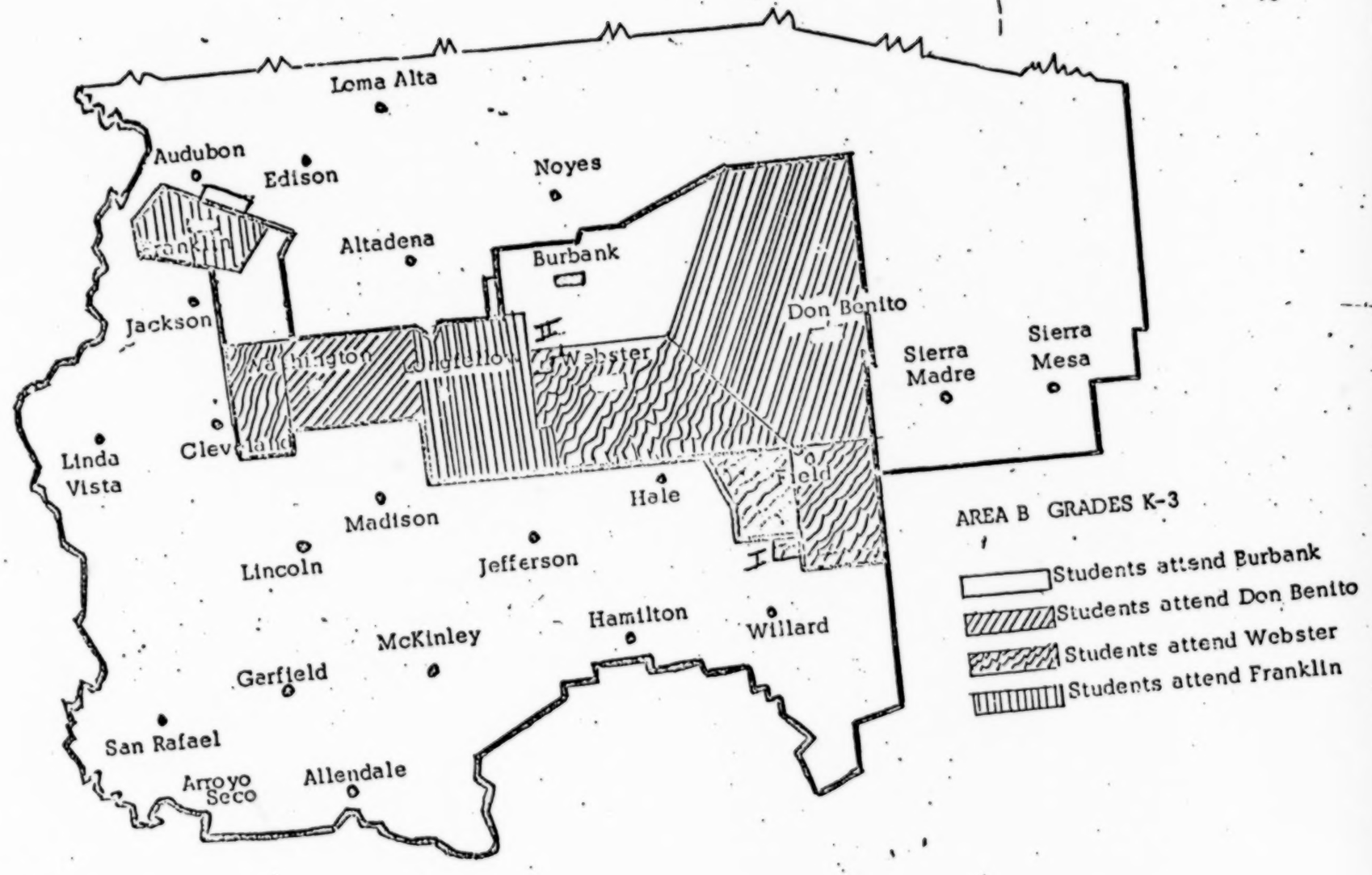
AREA "A"	Ethnic Distribution (Per cent) 1970-71					Estimated Enrollment 1970-71	1969-70 Fourth School Month Enroll. Gr. 1-6		
	Anglo-Cauc.	Negro	Spanish Sur.	Orient.	Other			Ethnic Distrib. % C&O	% N
Grades Kindergarten - Three									
AUDUBON - Primary School	53.1	38.6	4.4	2.8	1.1	655	584	34	66
NOYES - Primary School	57.6	34.1	5.2	2.3	.8	481	315	99	1
SIERRA MADRE - Primary School	55.2	36.0	5.5	2.4	.9	641	543	100	0
SIERRA MESA - Primary School	56.7	34.4	5.5	2.6	.8	582	438	100	0
Grades Four - Six									
ALTADENA - Upper Grade School	55.9	30.7	9.6	2.4	1.4	730	834	71	29
EDISON - Upper Grade School	55.9	35.4	4.6	2.8	1.3	539	631	39	61
LOMA ALTA - Upper Grade School	57.2	37.1	3.8	1.7	.2	601	554	75	25

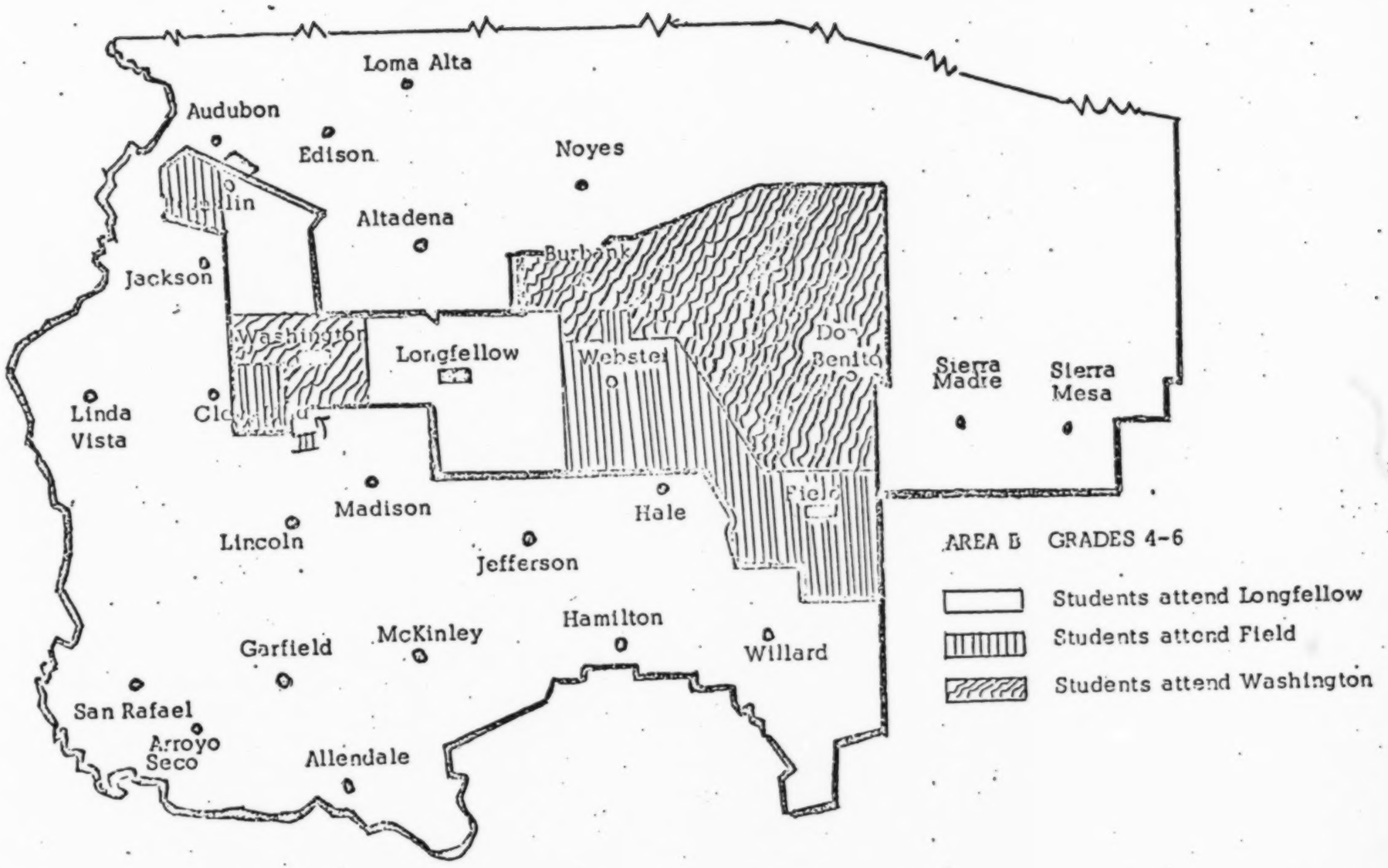
Pasadena Unified School District
Division of Elementary Education
Pasadena, California

Area "B"

INTRA-AREA CHANGES

Changes	Justification
Primary Zone 58 Change I Blocks 3, 4, 5, 7, 8, 10, 21, 22, 23, 24, 25, 26 From: Schools: Primary Burbank Upper _____ To: Schools: Primary Webster Upper _____	Changes were made in zones 28, 29, and 58 in order to make the attendance areas for the Burbank and Webster schools contiguous.
Zone 28 Change II Blocks 11, 14, 15, 20, 26, 27 From: Schools: Primary Webster Upper _____ To: Schools: Primary Burbank Upper _____	
Zone 29 Change II Blocks 14, 15, 22 From: Schools: Primary Webster Upper _____ To: Schools: Primary Burbank Upper _____	
Upper Zone 39 Change III Blocks 28, 29 From: Schools: Primary _____ Upper Field To: Schools: Primary _____	Provide better ethnic balance and permit more students to walk to school.
Zone _____ Upper Washington Blocks _____ From: Schools: Primary _____ Upper _____ To: Schools: Primary _____ Upper _____	


Loma Alta
Audubon
Edison
Noyes
Altadena
Burbank
Jackson
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Hale
Madison
Lincoln
Jefferson
Hamilton
Willard
McKinley
Garfield
San Rafael
Arroyo Seco
Allendale
AREA B GRADES K-3
Students attend Burbank
Students attend Don Benito
Students attend Webster
Students attend Franklin


Loma Alta
Audubon
Edison
Noyes
Altadena
Jackson
Burbank
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Madison
Hale
Field
Lincoln
Jefferson
Hamilton
McKinley
Garfield
Willard
San Rafael
Arroyo Seco
Allendale
AREA B GRADES 4-6
Students attend Longfellow
Students attend Field
Students attend Washington

AREA "B"	Ethnic Distribution (Per cent) 1970-71					Estimated Enrollment 1970-71	1969-70 Fourth School Month Enroll. Gr. 1-6		
	Anglo - Cauc.	Negro	Spanish Sur.	Orient.	Other			Ethnic Distrib. % C&O	% N
Grades Kindergarten - Three									
BURBANK - Primary School	58.0	36.3	4.3	1.4	0	628	535	98	2
DON BENITO - Primary School	57.3	34.0	7.3	1.1	.3	741	539	95	5
FRANKLIN - Primary School	48.6	38.0	10.5	2.6	.3	716	609	18	82
WEBSTER - Primary School	61.1	30.5	6.9	1.2	.3	872	678	93	7
Grades Four - Six									
FIELD - Upper School	58.2	34.0	5.5	1.9	.4	674	541	98	2
LONGFELLOW - Upper School	55.9	32.0	8.8	2.7	.6	784	1129	89	11
WASHINGTON - Upper School	60.0	35.4	2.6	1.7	.3	748	1144	9	91

Pasadena Unified School District
Division of Elementary Schools
Pasadena, California

Area "C"

INTRA-AREA CHANGES

Changes			Justification
Zone 41		See attached original and changed maps	Numerous minor changes were made to 1) improve ethnic balance; 2) improve distance; and 3) maintain continuous attendance areas.
Blocks All			
From:	Schools:	Primary Hamilton Upper _____	
To:	Schools:	Primary Jefferson Upper _____	
Zone 52			
Blocks 18, 19, 20, 25, 26			
From:	Schools:	Primary Hamilton Upper _____	
To:	Schools:	Primary Jefferson Upper _____	
Zone 52			
Blocks 15, 17, 21, 22, 23, 24			
From:	Schools:	Primary Willard Upper _____	
To:	Schools:	Primary Jefferson Upper _____	
Zone 57			
Blocks 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20			
From:	Schools:	Primary Hamilton Upper _____	
To:	Schools:	Primary Willard Upper _____	
Zone 66			
Blocks 13			
From:	Schools:	Primary Hamilton Upper _____	
To:	Schools:	Primary Jefferson Upper _____	

Page 2

Changes	Justification
Zone 67 Blocks 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 From Schools: Primary Willard Upper ..... To: Schools: Primary Hamilton Upper	
Zone 50 Blocks 24, 25, 26 From: Schools: Primary Jefferson Upper ..... To: Schools: Primary Willard Upper	
Zone 56 Blocks 6, 9, 12, 16, 20, 22, 26 From: Schools: Primary Jefferson Upper ..... To: Schools: Primary Willard Upper	
Zone 61 Blocks 6, 7, 8, 11, 12, 13, 14, 15 From: Schools: Primary Jefferson Upper ..... To: Schools: Primary Willard Upper	
Zone 62 Blocks 1, 2 From: Schools: Primary Jefferson Upper ..... To: Schools: Primary Willard Upper	

Page 3

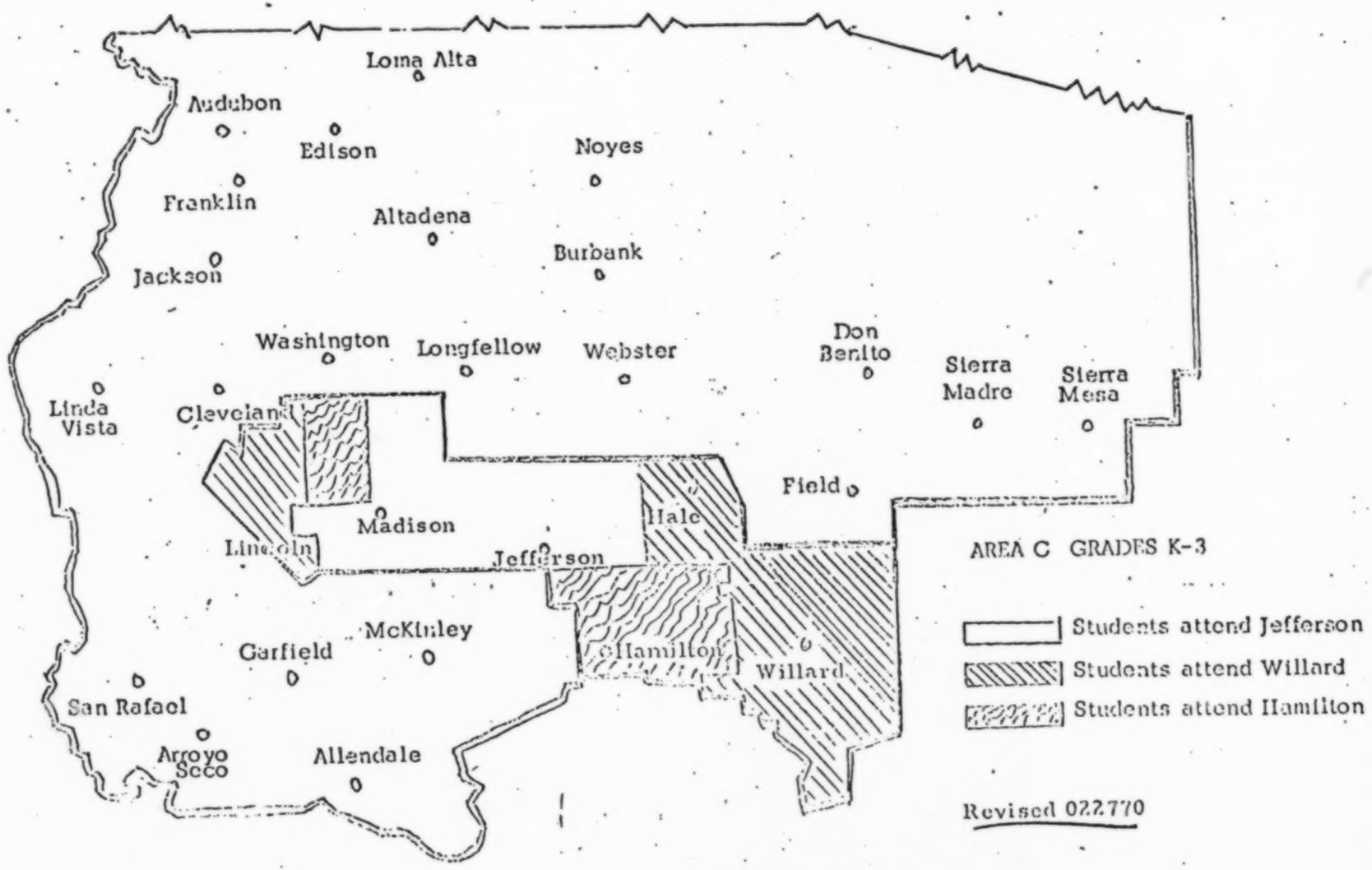
Changes	Justification
Zone 41 Blocks 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19 From: Schools: Primary ..... Upper Hale To: Schools: Primary ..... Upper Madison	Numerous minor changes were made to 1) improve ethnic balance; 2) improve distance, and 3) maintain contiguous attendance areas.
Zone 56 Blocks 1, 2, 3, 4, 5, 7, 8, 10, 11, 13, 14, 15, 17, 18, 19, 21, 23, 24, 25 From: Schools: Primary ..... Upper Hale To: Schools: Primary ..... Upper Madison	
Zone 64 Blocks 1, 2, 3, 4, 5, 6, 7 From: Schools: Primary ..... Upper Hale To: Schools: Primary ..... Upper Madison	
Zone ..... Blocks ..... From: Schools: Primary ..... Upper ..... To: Schools: Primary ..... Upper	
Zone ..... Blocks ..... From: Schools: Primary ..... Upper ..... To: Schools: Primary ..... Upper	

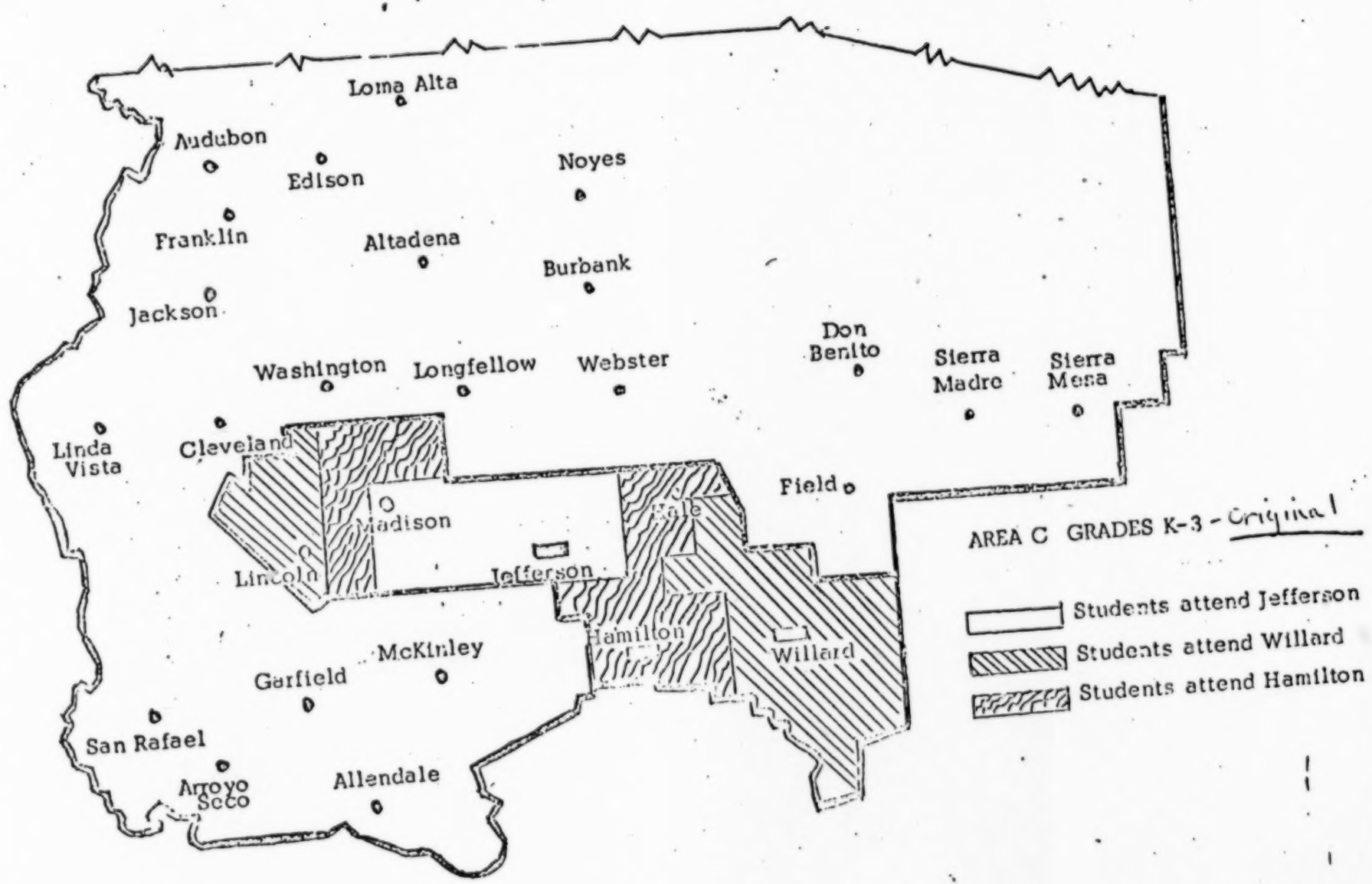
Page 4

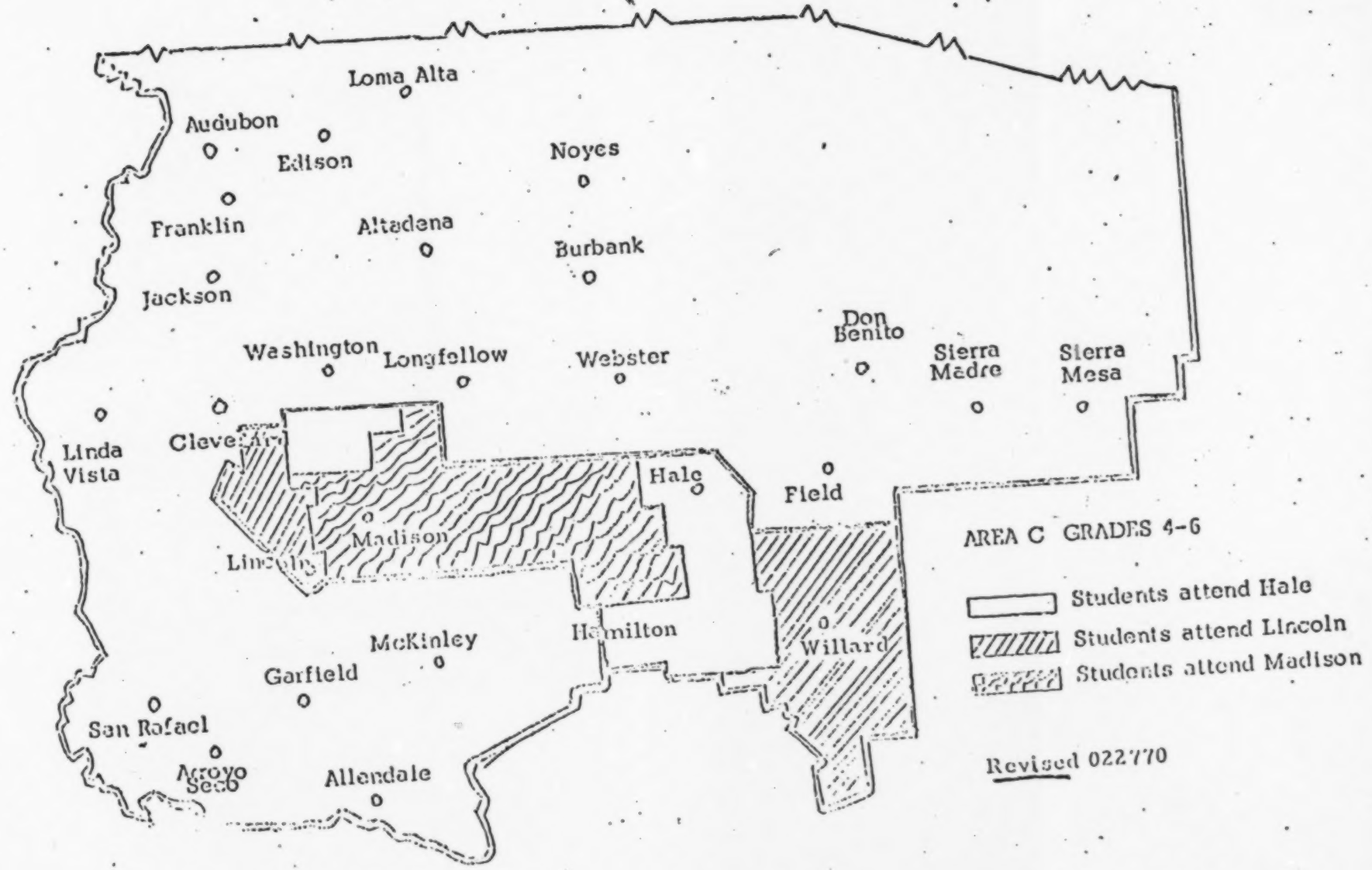
Changes	Justification
Zone 65 Blocks 1, 3, 6, 7, 8, 9, 10, 11, 16, 17, 18 From: Schools: Primary ..... Upper Hale To: Schools: Primary ..... Upper Madison	Numerous minor changes were made to 1) improve ethnic balance; 2) improve distance, and 3) maintain contiguous attendance areas.
Zone 67 Blocks All From: Schools: Primary ..... Upper Madison To: Schools: Primary ..... Upper Hale	
Zone 68 Blocks 14, 15, 17, 18 From: Schools: Primary ..... Upper Hale To: Schools: Primary ..... Upper Lincoln	
Zone 52 Blocks 1, 2, 3 From: Schools: Primary ..... Upper Lincoln To: Schools: Primary ..... Upper Madison	
Zone 78 Blocks All From: Schools: Primary ..... Upper Lincoln To: Schols: Primary ..... Upper Hale	

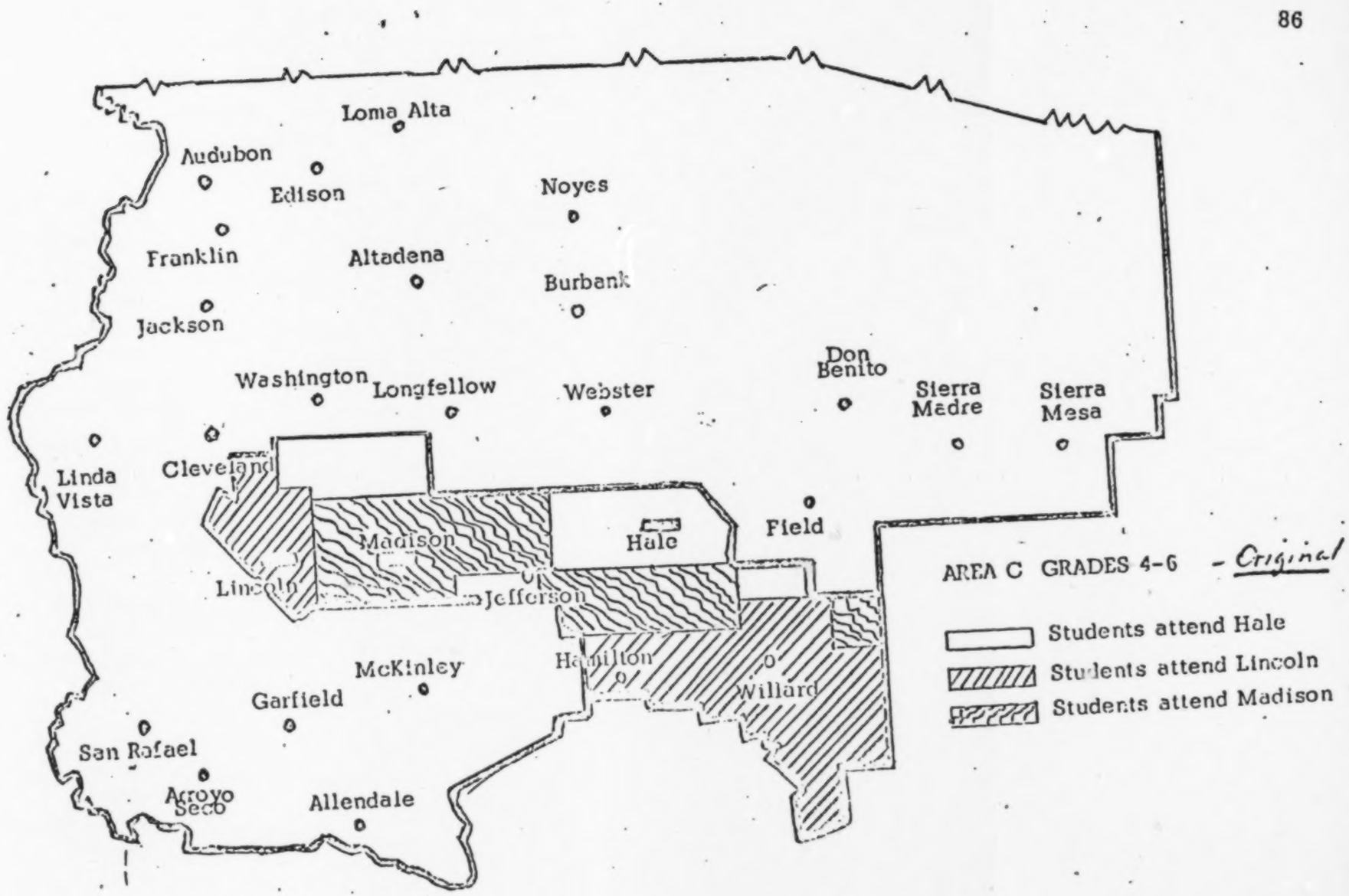
Page 5

Changes	Justification
Zone 79 Blocks All From: Schools: Primary ..... Upper Lincoln To: Schools: Primary ..... Upper Hale	
Zone 52 Blocks 12 From: Schools: Primary ..... Upper Madison To: Schools: Primary ..... Upper Lincoln	
Zone 68 Blocks 14, 15, 17 From: Schools: Primary ..... Upper Hale To: Schools: Primary ..... Upper Lincoln	
Zone 62 Blocks 1, 2, 3 From: Schools: Primary ..... Upper Madison To: Schools: Primary ..... Upper Lincoln	
Zone 81 Blocks All From: Schools: Primary ..... Upper Madison To: Schools: Primary ..... Upper Lincoln	


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Jackson
Burbank
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Field
Madison
Hale
Lincoln
Jefferson
McKinley
Garfield
Hamilton
Willard
San Rafael
Arroyo Seco
Allendale
AREA C GRADES K-3
Students attend Jefferson
Students attend Willard
Students attend Hamilton
Revised 022770


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Don Benito
Sierra Madre
Sierra Mesa
Washington
Longfellow
Webster
Linda Vista
Cleveland
Field
Madison
Lincoln
Jefferson
Hale
Hamilton
Willard
McKinley
Garfield
San Rafael
Arroyo Seco
Allendale
AREA C GRADES K-3 - Original
Students attend Jefferson
Students attend Willard
Students attend Hamilton


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Don Benito
Washington
Longfellow
Webster
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Hale
Field
Madison
Lincoln
McKinley
Hamilton
Willard
Garfield
San Rafael
Arroyo Seco
Allendale
AREA C GRADES 4-6
Students attend Hale
Students attend Lincoln
Students attend Madison
Revised 022770


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
McKinley
Hamilton
Willard
Garfield
San Rafael
Arroyo Seco
Allendale
AREA C GRADES 4-6 - Original
Students attend Hale
Students attend Lincoln
Students attend Madison

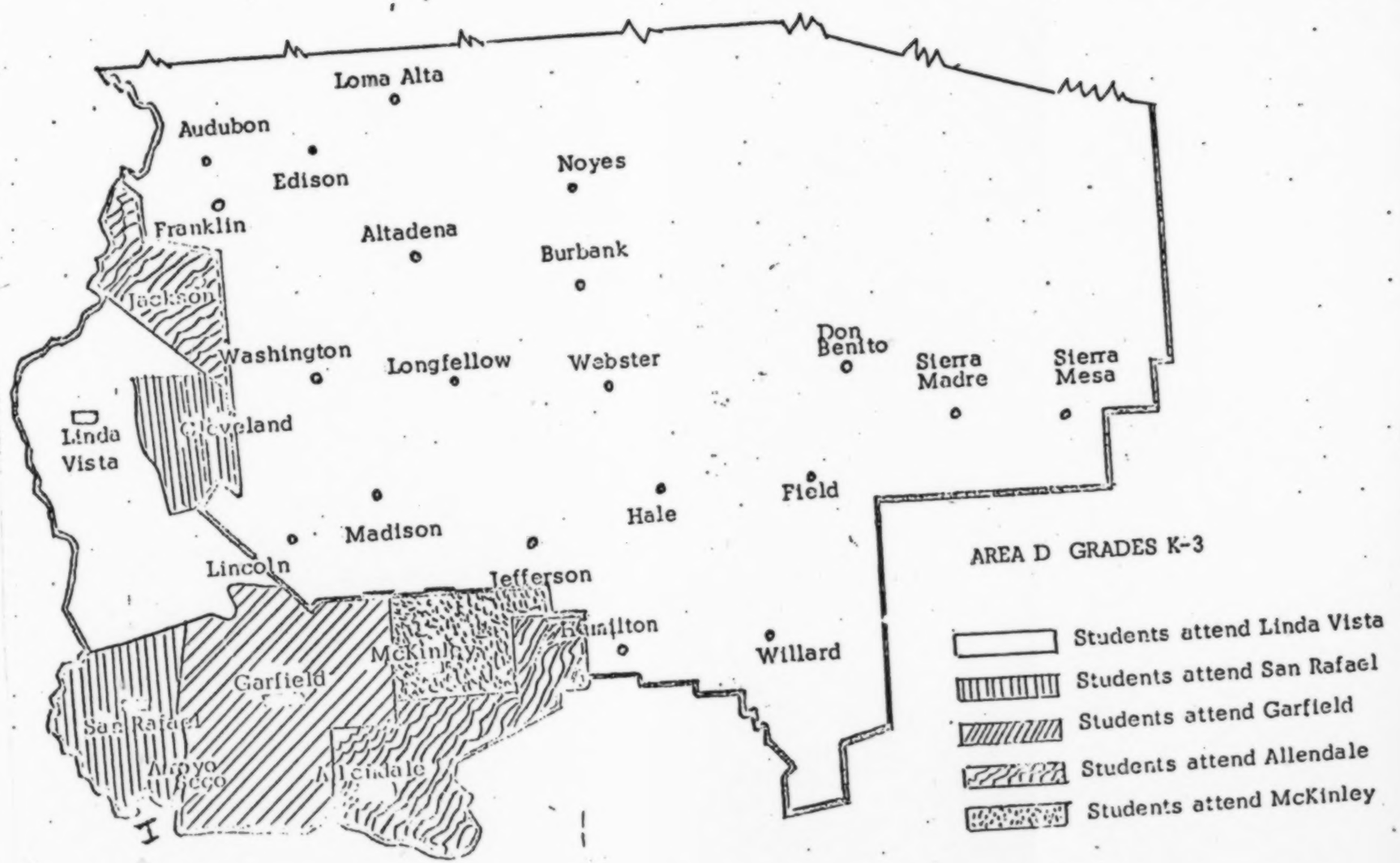
Pasadena Unified School District
Division of Elementary Education
Pasadena, California

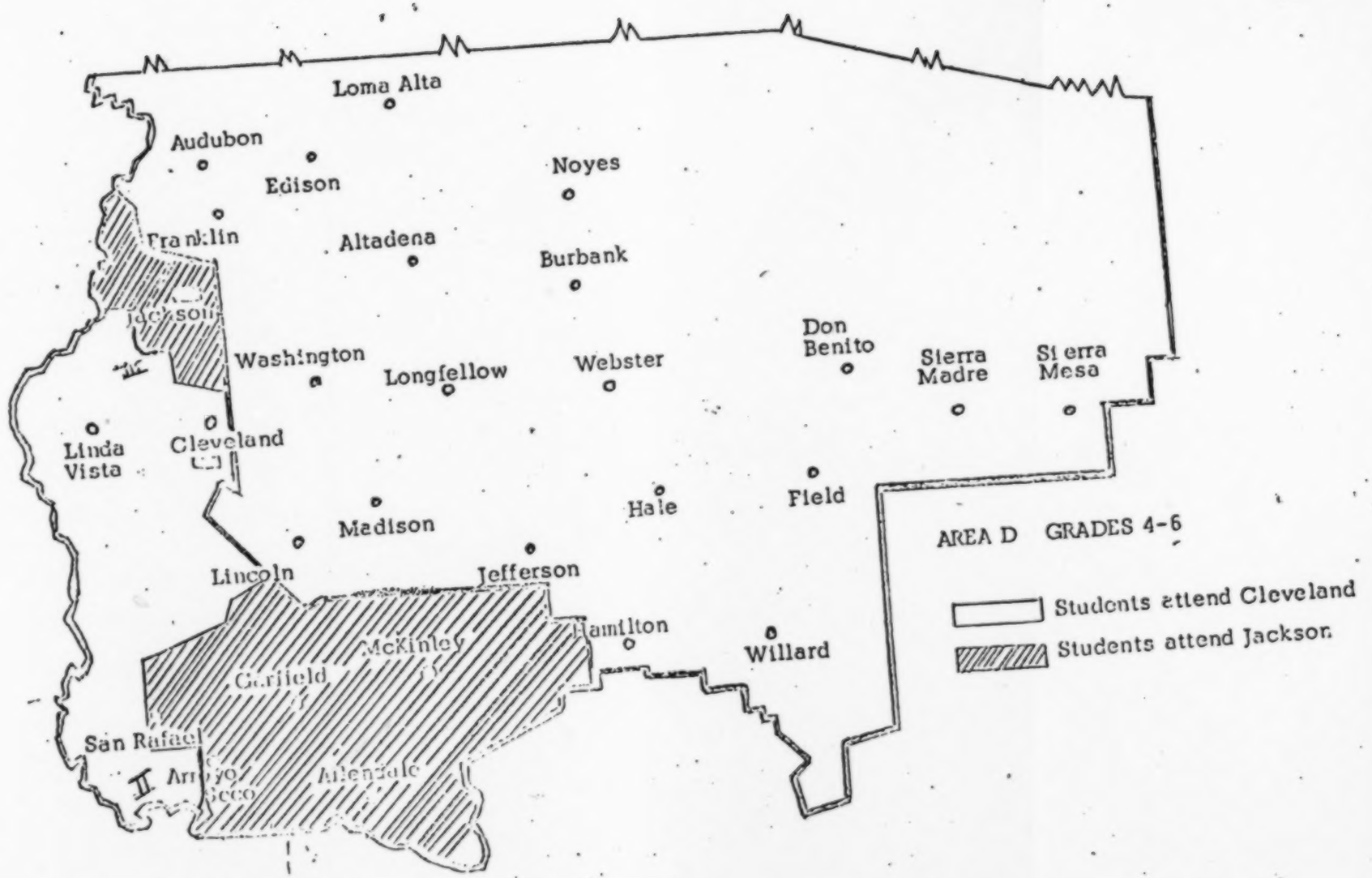
Area "D"

INTRA-AREA CHANGES

Changes	Justification
Zone 82 Change I Blocks 8, 9, 19, 20, 21 From: Schools: Primary San Rafael Upper ..... To: Schools: Primary Arroyo-Garfield Upper	These modifications were made to rectify an error which would have removed children from their regular attendance zone unnecessarily, and in consideration of a freeway route.
Zone 82 Change II Blocks 8, 9, 19, 20, 21 From: Schools: Primary ..... Upper Cleveland To: Schools: Primary ..... Upper Jackson	
Zone 23 Change III Blocks 1, 24 From: Schools: Primary ..... Upper Jackson To: Schools: Primary ..... Upper Cleveland	
Zone ..... Blocks ..... From: Schools: Primary ..... Upper ..... To: Schools: Primary ..... Upper	
Zone ..... Blocks ..... From: Schools: Primary ..... Upper ..... To: Schools: Primary ..... Upper	

AREA "C"	Ethnic Distribution (Per cent) 1970-71					Estimated Enrollment 1970-71	1969-70 Fourth School Month Enroll, Gr. 1-6		
	Anglo.-Cauc.	Negro	Spanish Sur.	Orient.	Other			Ethnic Distrib. % C&O	% N
Grades Kindergarten - Three									
HAMILTON - Primary School	47.0	32.6	16.2	1.8	2.4	623	596	99	1
JEFFERSON - Primary School	46.7	24.2	23.1	2.8	3.2	888	857	94	6
WILLARD - Primary School	54.4	36.4	7.4	1.5	.3	971	824	100	0
Grades Four - Six									
HALE - Upper School	58.3	26.8	11.6	1.7	1.6	482	545	90	10
LINCOLN - Upper School	51.4	34.1	13.4	.9	.2	589	797	19	81
MADISON - Upper School	48.5	29.1	17.9	1.3	3.2	626	855	37	63


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
Hamilton
Willard
McKinley
Garfield
San Rafael
Arroyo Seco
Allendale
I
AREA D GRADES K-3
Students attend Linda Vista
Students attend San Rafael
Students attend Garfield
Students attend Allendale
Students attend McKinley


Loma Alta
Audubon
Edison
Noyes
Franklin
Altadena
Burbank
Jackson
Washington
Longfellow
Webster
Don Benito
Sierra Madre
Sierra Mesa
Linda Vista
Cleveland
Madison
Hale
Field
Lincoln
Jefferson
Hamilton
Willard
McKinley
Garfield
San Rafael
Arroyo Seco
Altadale
AREA D GRADES 4-6
Students attend Cleveland
Students attend Jackson

AREA "D"	Ethnic Distribution (Per cent) 1970-71 Anglo - Cauc.	Negro	Spanish Sur.	Orient.	Other	Estimated Enrollment 1970-71	1969-70 Fourth School Month Enroll. Gr. 1-6	Ethnic Distrib. % C&O	% N
Grades Kindergarten - Three									
ALLENDALE - Primary School	47.3	35.9	10.0	5.8	1.0	512	432	99	1
ARROYO-GARFIELD-Primary Sch.	43.5	23.2	31.7	.6	1.0	306	356	86	14
LINDA VISTA - Primary School	56.3	33.9	3.5	5.7	.6	174	176	99	1
*McKINLEY - Primary School	54.2	15.0	22.4	5.1	3.3	214	209	88	12
SAN RAFAEL - Primary School	60.5	33.9	2.9	2.7	.0	339	404	99	1
Grades Four - Six									
JACKSON - Upper School	48.3	29.2	16.3	5.0	1.2	742	654	16	84
CLEVELAND - Upper School	59.6	35.9	1.8	2.5	.2	443	513	5	95

*This school property is under consideration for future sale.

BEST COPY AVAILABLE

RELOCATABLES.

Elementary

Space Utilization

Complete implementation of the area plan will result in the reallocation of 39 permanent classrooms and 25 relocatable classrooms. It will be necessary to move 17 relocatable classrooms to other sites to accommodate adjusted enrollments under the area plan. The remaining classrooms will be used to accommodate classes for Special Education, Opportunity and ESEA programs. Attached is a detailed breakdown of the classroom requirements at various schools.

Time Frame

The moving of the relocatables would have to take place between the end of this school term and the beginning of the fall term. This is an ambitious effort to complete, but it is felt that between now and June 15 it is possible to hire an architect, get State approval and receive bids for relocatables, as well as get board approval. All that would be left would be the actual physical movement of the relocatables. Also, preliminary electrical work can be done and foundations poured between now and the end of school. These classrooms, of course, would not be available for the summer school program.

Cost

Move 17 relocatables at $2,750 each=$46,750.

Architect Fees	$ 150
OAC Fees	50
Physical Moving	1,100
Foundations	800
Utilities	650
	$2,750

Classroom Adjustments.

Area "A".

Base School	Est. Enrollment	Rooms Available Present: Permanent	Rooms Available Present: Relocatables	Rooms Needed	Adjustment	Unassigned Rooms Available After Adjustment: Permanent	Unassigned Rooms Available After Adjustment: Relocatables	Relocatables to Be Moved Onto Site
K-3								
Audubon	655	15	4	20	+1			1
Noyes	481	11		14	+3			3
Sierra Madre	641	3	16	20	+1			1
Sierra Mesa	582	16		18	+2			2
4-6								
Altadena	730	27		25	−2	2		
Edison	539	5	15	18	−2		2	
Loma Alta	601	18	2	21	+1			1
Totals						2	2	8

Classroom Adjustments.

Area "B".

School Base	Esti-Enrollment	Rooms Available Present: Permanent	Rooms Available Present: Relocatable	Rooms Needed	Adjustment	Unassigned Rooms Available After Adjustment: Permanent	Unassigned Rooms Available After Adjustment: Relocatable	Number Relocatables to Be Moved Onto Site
K-3								
Burbank	628	9	8	20	+3			3
Don Benito	741	24		22	−2	2		
Franklin	716	15	6	21	0			
Webster	872	22		27	+5			5
4-6								
Field	674	22		23	+1			1
Longfellow	784	27	3	27	−3		3	
Washington	748	30	8	26	−12	4	8	
Totals						6	11	9

Classroom Adjustments.

Area "C".

Base School	Est. Enrollment	Rooms Available Present: Permanent	Rooms Available Present: Relocatables	Rooms Needed	Adjustment	Unassigned Room Available After Adjustment: Permanent	Unassigned Room Available After Adjustment: Relocatables	Number Relocatables to Be Moved Onto Site
K-3								
Hamilton	623	18	2	20				
Jefferson	888	10	17	27				
Willard	971	27	1	28				
4-6								
Hale	482	20	3	17	−6	3	3	
Lincoln	589	34		21	−13	13		
Madison	626	19	10	21			8	
Totals						16	11	

Classroom Adjustments.

Area "D".

Base School	Esti-mated Enrollment	Rooms Available Present: Permanent	Rooms Available Present: Relocatables	Rooms Needed	Adjustment	Unassigned Rooms Available After Adjustment: Permanent	Unassigned Rooms Available After Adjustment: Relocatable	Number Relocatables to Be Moved Onto Site
K-3								
Allendale	512	14	3	16	−1		1	
Arroyo-Garfield	306	13		10	−3	3		
Linda Vista	174	1	4	6	+1			1
McKinley	214	9		7	−2	2		
San Rafael	339	16		11	−5	5		
4-6								
Cleveland	443	20		15	−5	5		
Jackson	742	19	6	25	0			
Totals						15	1	1

ORDER APPROVING DEFENDANTS' PLAN FOR INTEGRATION.

Entered 10 March 1970.

Defendants having filed with the Court, pursuant to the Judgment entered herein on January 23, 1970, their Plan for Integration of the Pasadena Unified School District, which said Plan is dated February 18, 1970 and was filed on that date, and the Court having issued its Order to Show Cause re Plan for Integration of the Pasadena Unified School District on February 18, 1970, requiring plaintiffs and plaintiff-intervenor to appear in Court on March 4, 1970 and then and there show cause why said Plan for Integration should not be accepted and approved by this Court; and defendants having thereafter filed with the Court on March 2, 1970 their amendment to the Plan for Integration; and the matter having come on regularly for hearing on March 4, 1970, plaintiffs appearing by their attorneys, Albert C. Lum and Boyko and Simmons by Michael W. Roberts, and plaintiff-intervenor appearing by its attorneys, John N. Mitchell, Attorney General, Jerris Leonard, Assistant Attorney General, Wm. Matthew Byrne, Jr., United States Attorney, by Bernard Shapiro, David Norman, Brian Landsburg and James Stotter II, and defendants appearing by their attorneys, Pollock, Palmer & Metzler, by John P. Pollock and John Andrew Miller; and the Court, having heard argument and having interrogated witnesses, now makes its Order:

IT IS HEREBY ORDERED AND ADJUDGED that the Plan for Integration of the Pasadena Unified School District, dated February 18, 1970 and filed herein February 18, 1970, as amended and modified by the amendment thereto dated February 27, 1970 and filed herein March 2, 1970, is hereby found to be in conformance with the Judgment entered herein January 23, 1970 and is hereby approved.

Dated: March 10, 1970.

/s/ MANUEL L. REAL,
United States District Judge.

FINDINGS OF FACT AND CONCLUSIONS OF LAW.

Filed March 12, 1970.

Upon consideration of all testimony and exhibits received as evidence in this case, the Court makes the following findings of fact and conclusions of law. Findings of fact numbered 1 through 5, inclusive, are identical to the Findings of Fact filed herein January 22, 1970. The additional findings illustrate the facts upon which the Court relied in making those original findings. Conclusions of law numbered 1 and 2, below, are identical to those filed herein January 22, 1970.

FINDINGS OF FACT.

I. *Original Findings of Fact.*

1. The evidence in this case establishes that there is racial imbalance or segregation in the student bodies and faculties of the Pasadena Unified School District at all levels, elementary schools, junior high schools, and senior high schools.

2. The imbalance is a result of defendants' failure to carry out their announced policies of integration, policies that relate both to faculty and student assignments.

3. These failures have occurred in connection with the teacher assignment, hiring, and promotion policies and practices of the District, its construction policies and practices, and its assignment of students.

4. The Court has also noted with concern the racial effects of the District's interclass grouping policies and procedures. Because of the delicate educational nature of decisions concerning grouping, the Court does not at this time deem it appropriate to enter an Order in this regard, but urges the people of Pasadena to examine carefully the grouping policies of their District.

5. Pasadena City Board of Education has used a neighborhood school policy and a policy against forced cross-town bussing to explain its failure to carry out its policies in integrating students and teachers and staff members. The neighborhood school policy is an educational consideration, but it does not normally have constitutional proportions. Under facts of which Pasadena City Board of Education has been aware since at least 1958 as they affect the District's elementary schools, it can be recognized that the use of the neighborhood school policy results in racial imbalance and increasing racial imbalance. The same is true of the policy against cross-town bussing.

II. *Background Facts.*

6. This is a school desegregation action, commenced by sudents in the Pasadena Unified School District (hereinafter called, the District), in which the United States intervened as plaintiff after the Attorney General certified it was a case of general public importance, pursuant to Title IX of the Civil Rights Act of 1964, 42 U. S. C. 2000h-2. The defendants are the Pasadena City Board of Education (hereinafter called, the Board), its members, and the District's superintendent. Two former Board members, Steve Salisian and John Welsh,[1] were named as defendants, but remain in the case only as to the issue of attorneys' fees raised by plaintiffs.

7. The Board operates the 28 elementary schools, five junior high schools, three senior high schools, and two special schools of the District. The District contains within its boundaries all of the City of Pasadena, the unincorporated town of Altadena, the City of Sierra Madre, and portions of Los Angeles County near the eastern boundary of the City of Pasadena.

8. For the 1969-70 school year the District has enrolled 30,622 students, 17,859 Caucasian, 9,173 black, and 3,590 of

1. By motion after judgment Henry S. Clark was substituted for defendant John Welsh in his capacity of a member of defendant Board. John Welsh resigned his position and he was replaced on the Board by defendant Henry S. Clark.

Other minority ethnic or racial backgrounds.[2] There are 1,198 teachers, 1,034 white, 121 black, and 43 others. (Govt. Exs. 1D and 3)[3]

III. *Segregation of Students.*

A. The Fact of Racial Segregation.

9. Racial segregation or imbalance[4] is especially pronounced in the elementary schools of the District. During the school year 1969-70, 85 percent of the District's black elementary school students attend the eight majority black elementary schools, while 93 percent of its white elementary students attend the other 21 elementary schools. There are 13 elementary schools with less than five percent black enrollments; 61 percent of the District's white elementary students and one percent of its black elementary students attend those schools. Cleveland Elementary School has only seven white students in an enrollment of 542. Washington Elementary School is also over 90 percent black, and has 28 white students, 1060 black students, and 70 other students. Three other elementary schools have enrollments over 80 percent black, Jackson, Franklin, and Lincoln; Madison and Audubon are over 60 percent black; Edison is 59 percent black. (Govt. Exs. 1 and 2)

10. At the junior high school level, nearly have of the District's black students (49 percent) attend one school, Wash-

2. Throughout these findings, and consistent with District practice, the terms Caucasian and white are used to describe Caucasians without Spanish surnames; Black and Negro are used interchangeably; Other refers to Spanish surnamed Caucasians, Orientals, Indians, and all persons of other minority racial or ethnic backgrounds.

3. Throughout these findings, Govt. Ex. is used to refer to Government's Exhibit; Pl. Ex. refers to Plaintiffs' Exhibit; Def. Ex. refers to Defendants' Exhibit.

4. Racial segregation and racial imbalance are two names for the same phenomenon, racial separation. The terms are used interchangeable throughout these findings and conclusions.

ington Junior High School, which itself has an enrollment 88 percent black. Wilson Junior High School, on the other hand, has an enrollment less than one-half of one percent black. The other junior high schools are reasonably well racially balanced. (Govt. Exs. 1 and 2)

11. Muir High School has a minority of white students (48 percent); nearly half (48 percent) of the District's black senior high students attend that school; its enrollment is 37 percent black. Pasadena High School is 12 percent black and 82 percent white. (Govt. Exs. 1 and 2)

12. The degree of racial separation within the District has been consistently high, particularly at the elementary level, over the past 15 years. Each year over 90 percent of the white elementary students have attended majority white schools, while over half of the black elementary students have attended majority black schools. At least 85 percent of the District's Negro elementary school children have attended the eight schools that today have majority black enrollments in every year for which records are in evidence. (Govt. Exs. 1 and 2)

B. Defendant's Actions and Inactions That Have Contributed to and Intensified Racial Separation.

13. Since 1954 defendants have never made an attendance area change that involved assigning students from a majority white residential area to a majority black school. (Govt. Exs. 1 and 11-A through 11-K; Tr. pp. 264, 1797 and 2040)[5]

14. Particularly instructive in this regard is the District's history of assigning elementary and junior high school students from Linda Vista, the area of Pasadena west of the Rose Bowl and north of the Colorado Freeway. The houses in Linda Vista are generally expensive; nearly all the occupants are white. The area has its own elementary school, Linda Vista, with an enrollment this year of 163 white children, one black child, and

5. Page references are to the typed daily transcript.

12 other children. Cleveland School, 97 percent black, is a mile away. Linda Vista has capacity for 255 students. Cleveland, until 1962, had capacity for 230 students. In 1962 defendants built a ten-room addition to that school, increasing its capacity to 560 students. When the Linda Vista School opened, there were not enough children in the area to fill even its limited capacity, and until 1954 the District assigned white children from the Cleveland and Lincoln attendance areas to fill the school. From 1967 until 1969, while the school was closed temporarily due to structural deficiencies, the District transported all Linda Vista's children in kindergarten and grades one through six three miles across the Colorado Freeway to San Rafael Elementary School, where the enrollment in 1967-68 was 457 white, one black, and 11 other students. Five majority black elementary schools, three of them with more unused capacity than San Rafael, are closer to the Linda Vista School than is San Rafael. (Govt. Exs. 1, 6, 10-P, 11-L, 11-M, 14, 12, 13A-C, 70-Exs. 2A-2B, 88-A, 91, Tr. pp. 287-288)

Students from Linda Vista have attended three white junior high schools, but have never attended the nearest junior high school, Washington. While Washington has been a majority black school only since approximately 1960, it has had more black students than the other four regular junior high schools combined in every year for which records are in evidence. Prior to 1951, the District transported Linda Vista students to Eliot Junior High School, which at that time had no black students. From 1951 to 1961 Linda Vista's junior high school was La Canada, which never had a Negro student. In 1961, La Canada withdrew from the District. At that time, the only two junior high schools in the west half of the District with unused capacity were Washington and McKinley.[6] Washington's enrollment was approximately 60 percent black (and 20 percent white), while McKinley's was approximately 70 percent white (and 15 per-

6. McKinley's enrollment was 1094, its capacity 1210; Washington's enrollment was 1196, its capacity 1278. (Govt. Exs. 1 and 42-B, Ex. 25)

cent black). Washington is two and a half miles from Linda Vista School, McKinley about three and a half. The Board conducted a meeting at Linda Vista Elementary School on November 29, 1960 to discuss the pending assignment; most parents from the area who spoke expressed a preference for McKinley, some admittedly for racial reasons. Thereafter, the Superintendent appointed a citizen's committee to study the matter. The committee openly considered both racially discriminatory arguments and nonracial arguments before recommending that Linda Vista students be assigned to McKinley Junior High School. The Board voted three to two to do so. The two dissenting members favored assignments of Linda Vista students to Washington because it was closer and because such an assignment would increase integration. While the Board members who favored McKinley assigned nonracial reasons for their vote, it is clear that race was a crucial factor in the decision. (Govt. Exs. 1, 10-A, 10-O, 11-S, 17, 42-B-Ex. 25,[8] 70-Exs. 2A-2D, 86, Tr. pp. 350-370)

15. Similarly, racial considerations entered into the Board's 1962 decision to transfer a portion of majority black Lincoln's attendance area to Cleveland, already over 85 percent black. In 1968, the Board added still more black students to Cleveland's enrollment when it assigned a portion of the Washington attendance area to Cleveland. (Govt. Exs. 1, 10-C, 10-E, 11-C, 11-G, 11-P, 11-R, and 68-E, Ex. 41, Tr. pp. 371-373)

16. Another example of the Board's maintenance and increase of racial imbalance is the attendance areas it has drawn for the District's two largest elementary schools, Washington and Longfellow. The two schools are located little more than a mile from each other. In July of 1954, the District assigned a formerly "neutral" zone[9] between the two schools to Longfellow,

8. The use of "Ex." and a number following another exhibit number denotes an exhibit to a deposition.

9. Until after the Supreme Court's *Brown* decision in May of 1954, the District maintained four neutral zones in which students were permitted to attend either nearby schools with relatively large numbers of Negro students or more distant, but nearly all-white schools. When the neutral zone policy was abandoned three of the areas were assigned to the nearest schools. Until 1954, the District also permitted white students freely to transfer from schools with predominantly black enrollments to all-white or nearly all-white schools, such as Linda Vista. (Govt. Exs. 10-A, 11-A, 11-B, 88-A)

although most of the area was closer to Washington. All or nearly all the students in the area were white; Washington was 27 percent black; Longfellow was 97 percent white. A month later, the Board reassigned the northern portion of the "neutral" zone, but to Altadena (which had an enrollment 99.9 percent white), rather than to Washington. Altadena was over-enrolled at the time, in terms of its capacity, while Washington was under-enrolled. (Govt. Exs. 1, 6, 10-A, 10-B, 11-A, 11-B, 11-L, 11-M, 14, and 88-A)

Ten years later, in 1964, Washington had become 81 percent black, Longfellow was 88 percent white. Both schools were seriously overcrowded. The Board relieved the overcrowding at Longfellow by reassigning white students from the eastern edge of its attendance area to Webster and Burbank elementary schools, both over 97 percent white. Webster was already over-enrolled, but the Board did not consider assigning white students either to Washington or to Madison, which by 1964 had a minority of white students. The Board did not relieve the overcrowding at Washington, as by assigning black students to Longfellow or Altadena, but instead added an eighth transportable classroom at Washington for the 1964-65 school year. Neither Altadena nor Longfellow had any transportables that year. (Govt. Exs. 1, 10-B, 11-D, 11-N, 14, and 70, Ex. 2, Tr. pp. 2140-2143)

In 1966, the Board did attempt to relieve overcrowding at Washington. However, rather than reassigning black students to a white school, such as Altadena or Longfellow, the Board assigned additional black students to Madison, already 44 percent black. Since that assignment aggravated an existing condi-

tion of overcrowding at Madison, the Board assigned two portions of the Madison zone to Longfellow. However, Longfellow was already overcrowded, and the two areas were returned to Madison. For reasons now unknown to the Board president at the time, the students in those areas were permitted to attend either Longfellow or Madison. Another portion of the Madison zone was assigned to McKinley. The portions of Madison assigned to Longfellow (then nominally returned) and McKinley were majority white residential areas. The chief racial result of all these changes was the creation of another majority black elementary school; Madison gained approximately 100 black students and lost 80 white students; its black enrollment rose to 55 percent, its white enrollment fell to 25 percent. Longfellow and McKinley each gained white students, and both remained over 70 percent white. (Govt. Exs. 1, 10-D, 11-E, 11-Q, 14, 66, pp. 4-12, 15 and Ex. 1, and 77, Tr. pp. 715-716 and 2143-2146)

17. At the senior high school level, defendants have made occasional efforts to improve racial balance, but the efforts have been offset in part by changes in senior high school attendance areas that increased imbalance. In and around the year 1957, while a decision was being made as to where to locate Pasadena High School, the Board members were specifically aware that if they located the school in East Pasadena, they would have to exercise particular care in drawing attendance zone lines if they were to avoid having most black students attend Muir High School and most white students attend Pasadena High School. The District did open the new high school in East Pasadena in 1960. In 1961, 1963, 1964, 1966 and 1967 the Board made decisions that increased the concentration of black students at Muir High School. In 1961 the Board subtracted from the Muir High School attendance area and added to the Pasadena High School attendance area the property enclosed within the predominantly white Noyes and Burbank Elementary School attendance areas. In May of 1967, the Board reassigned this area to

Muir High School, in order to increase integration. However, on July 10, 1967, the Board rescinded that action and reassigned the area to Pasadena High School. In 1969 defendants took action designed to assign approximately 80 percent of the students in the Noyes and Burbank area to Muir High School. In 1963, the defendants refused to consider a plan recommended to it by a citizens-staff advisory committee that would have resulted in a more nearly equal distribution of white and black students between Muir and Pasadena High Schools. In 1964, the defendants assigned high school students from the white Arroyo Seco Elementary School attendance area to Blair High School, and in 1966, they assigned senior high school students from the white San Rafael Elementary attendance area to Blair High School. These two areas had previously been within the Muir High School attendance area, and the Board took no adequate steps to replace the white students lost as a result of the two moves. (Govt. Exs. 10-K, 10-L, 10-M, 11-H, 11-K, 11-O, 11-V, 68-A pp. 61, 88-C, 88)

In each of the years mentioned in the preceding paragraph of this finding, commencing in 1961, defendants took steps to increase the number of white students or decrease the number of black students at Muir. However, except for one zone change that remained in effect for one year (1963), none of those steps added as many white students to Muir as the Board's simultaneous actions subtracted. The Board did take action so that in 1964 there was a reduction of the number of black students at Muir by the creation of a Geographic and Controlled Open District, a device that resulted in the transportation of black students who lived across the street from Muir High School to Pasadena High School or Blair High School. (Govt. Exs. 10-L, 10-M, 11-V, 64, pp. 18-23)

18. The Board and the District's chief administration officers have recognized the need for integration in the District's elementary and junior high schools, as well as senior high schools, since at least 1958. However, the District has taken no

effective action to integrate its elementary schools or its two most segregated junior high schools, Washington and Wilson. Numerous promises of studies and action led to nothing beyond the adoption in 1964 and 1965 of open enrollment or free choice plans that, until 1968, permitted a small number of both black and white students to escape Negro schools. The largest number of black students to take advantage of this plan at the elementary level was 86; in the school year 1965-66, of those 86, 40 went to minority white schools, Cleveland and Garfield. (Govt. Exs. 1, 11-0, 16, 19, 24, Tr. pp. 2038-2040 and 2255-2256)

19. The Board has consistently rejected proposals from citizens' committees, its superintendent, and other Board members that would result in significant increases in integration, particularly at the elementary and junior high school level. In 1962, the Board had the Superintendent appoint a citizens-staff committee to review districting problems "at the elementary, junior, and senior high school levels." The committee recommended senior high school attendance area changes that would have increased integration substantially, but the Board rejected those changes in favor of the Open District plan. The Board thereafter voted to disband the committee and not to permit it to study or make recommendations concerning elementary and junior high schools. (Govt. Exs. 11-O, 19, 25-A, 25-G)

During the winter and spring of 1964, the Board received numerous proposals for elementary school desegration from ad hoc citizens' committees. Board member Shatford urged the study of a triad plan, combining three schools with adjoining attendance areas. The Board's response was to vote not to give further consideration to elementary school redistricting. When Mr. Shatford urged study of junior high school segregation in May of 1964, the Board voted not to consider the matter until 1965. (Govt. Exs. 11-O, 47, Tr. pp. 391-394, 584, 586-587)

In 1965, the Board appointed another citizens' committee, to make recommendations for a bond election. The Board rejected each suggestion by the committee that would have led to additional integration, including the replacement of Arroyo Seco with a larger school, the location of a new junior high schools elsewhere than in east Pasadena, and redistricting elementary schools. (Govt. Exs. 26, 27, pp. 49-52, 89, Tr. 2050-2051)

In July of 1967, the Board rescinded Plan A for senior high school redistricting, despite the strong contrary recommendation of Superintendent Paul Salmon. Thereafter, Dr. Salmon recommended locating a new integrated elementary school east of Lake Avenue to relieve overcrowding at Washington and Longfellow. Mr. Salisian instructed him not to specify a location and said he would not support a location east of Lake Avenue for the school. The Board did, nearly a year after rescinding Plan A, authorize the appointment of a director of long range planning, but unanimously directed that he study only senior high schools. (Govt. Exs. 88-P, 103-C, Tr. pp. 256-260, 274-282)

20. In declining to accept recommendations for substantial integration, the Board and members of the administration relied in part, from 1963 through 1967, on an opinion of the county counsel of Los Angeles County to the effect that the Constitution is color blind and that the Board could not take race into account in attempting to improve racial balance. That opinion, rendered June 7, 1963, was directly repudiated by the Supreme Court of California on June 27, 1963, in *Jackson* v. *Pasadena City Board of Education*. Pasadena's school officials knew that decision was contrary to the advice they had received from county counsel; they ignored it. Similarly, the Board ignored an opinion of the Attorney General of California that a school board could consider race in attempting to overcome segregation. That opinion, rendered August 15, 1963, was brought specifically to the attention of the Board. The two members of the Board who favored increased integration sought to have the Pasadena Board obtain an opinion on the subject from the Attorney General, but the Board president failed to concern

himself with the matter, and the Board majority continued to rely on county counsel's opinion. The Board also ignored a February 1963 directive from the State Board of Education to consider race to overcome racial imbalance. On August 16, 1967, the Board received further notice from a state court that it should act to integrate its schools. A year later, when the Board had taken no effective action, plaintiffs filed this action. It was not until September of 1969 that the Board permitted District officials to commence serious consideration of elementary school integration. (Govt. Exs. 22, 23, 68-A, p. 89, 88-U, 92, Tr. pp. 388-389, 477, 1480, 1733, 2085-2088, 2132-2133, 2255-2256, 2259-2262, *Jackson* v. *Pasadena Board of Education*, 382 P. 2d 78 (1963), 42 Op. Cal. Atty. Gen. 33 (1963))

21. When the Board did decide to take action to integrate at the elementary level, it decided to delay the commencement of implementation until the fall of 1971. All Board members favored delay in completion of implementation until 1972 at the secondary level and until 1973 or later at the elementary level. (Govt. Exs. 43, pp. 28-32, 56, pp. 40- 42, 63, pp. 23-25, 65, pp. 25-26, Tr. pp. 1507, 1601, 1635-1638, 1778-1779, 1800, 2237-2240)

22. The defendants have adopted a policy of permitting certain schools at each level of instruction to obtain a larger percentage of black student enrollment than in the District as a whole, while attempting to insure that other schools in the District will not obtain a greater percentage of black student enrollment than the percentage of black students in the district as a whole. At the senior high school level, this policy has led the defendants to adopt a policy that will make it unlikely that Blair High School or Pasadena High School will have an enrollment greater than 24 percent black, while it has adopted no such policy as to Muir High School. At the junior high school level, defendants have made adjustments at attendance zones so that Eliot Junior High School, Marshall Junior High School, McKinley Junior High School, and Wilson Junior High School

will have an enrollment no more than 30 percent black. They have taken no such step concerning Washington Junior High School. At the elementary level, the defendants have adopted a program to insure that schools with less than 30 percent black enrollment, will continue to have predominantly white enrollments, while they have taken no such steps concerning the predominantly black elementary schools. (Govt. Exs. 1, 10-I, and 42-A, pp. 82-86, Tr. pp. 1683-1685)

23. Defendants have used transportation provided at school district expense to make it possible for white children to avoid attending schools with greater percentages of black students enrolled than in the District as a whole. The District has transported black children at District expense to increase the amount of racial integration, but it has not transported children from majority white residential areas to majority black schools to increase the amount of racial integration. Examples of transporting white students to avoid integration include the transportation of white junior high school students from La Canada to Eliot and Marshall, white junior high school students from Linda Vista to Eliot, La Canada, and McKinley, white elementary students from Linda Vista to San Rafael, and white elementary students from Jefferson to Willard, Hale, and Hamilton. Examples of transporting black children to increase integration include the mandatory assignment of black Open District high school students to Pasadena and Blair High Schools and the assignment of Audubon and Franklin Junior High School students to Marshall. (Govt. Exs. 1, 11-S, 58-A, 58-B, 59-A, 59-B, 59-C, Tr. pp. 882, 886-890)

C. Residential Segregation.

24. The record demonstrates the existence of a high degree of residential segregation in the geographic areas the District serves. Linda Vista and San Rafael on the west and the Arroyo Seco and Allendale areas at the southern edge of the District have no or almost no black residents. The same is true of all of

Sierra Madre and of the portions of Pasadena and Altadena east of Holliston Avenue. The District has been divided for administrative purposes into 92 roughly equal parts. Of those, 60 (including all 52 in the areas described above) have from zero to five percent Negro student residents. The areas with the highest percentage of black students lie between the Arroyo on the west, Los Robles and Santa Anita Avenues on the east, California Boulevard on the south, and Altadena Drive on the north. Of the 19 administrative zones in this area, one has over 95 percent Negro student population, six others are over 80 percent black, ten are 51-80 percent black, and two are 21-50 percent black. (Govt. Exs. 97 and 98)

25. The residential segregation described above is due in large measure to racial discrimination. Until 1948, the courts of the State of California enforced racially restrictive covenants. In 1939, Pasadena's Board of Realtors successfully campaigned actively and openly for the adoption and renewal of such covenants. In 1945, the Supreme Court of California acknowledged the commonplace use of restrictive covenants in Pasadena and the resulting "Negro district." The Board of Education obtained a deed to the Allendale school property in 1948 that referred to racially restrictive covenants. The Board has never assigned a black teacher to that school, and it has never had over two black students. (Govt. Exs. 1, 1-C, 3A-C, 4-C, 48, 49A-C, 50, Tr. pp. 592-599, 603, *Fairchild* v. *Raines*, 145 P. 2d 528 (1943))

From 1948 until at least 1968 it remained the practice of almost every Pasadena realtor to refuse to sell to Negroes in white residential areas. Pasadena realtors interpreted a provision of the realtors code of ethics forbidding the introduction of undesirable elements into a neighborhood, to make such sales unethical. Even those realtors who declined to be bound by such a gross misinterpretation of their ethical strictures felt compelled to honor the request of a client not to sell to Negroes. The handful of sales that were made to blacks in white areas

occasioned acts of intimidation and harassment on the part of private citizens. (Tr. pp. 604-614, 624-630, 648-653 and 673-677)

The passage of the Civil Rights Act of 1968 and the Supreme Court's opinion in *Jones* v. *Mayer*, 392 U. S. 409 (1968), have diminished the extent of racial discrimination in the sale and rental of housing in Pasadena. However, black persons continue to encounter difficulty in obtaining residences in east Pasadena. (Tr. pp. 558, 560-561, 639-640, 677, 680)

26. Defendants have been aware of the existence of residential segregation and the discrimination that underlies it. (Def. Ex. H-1, Tr. pp. 1608-1610)

D. The Adverse Consequences of Racial Segregation.

27. Racial integration provides positive educational benefits. One purpose of education is to prepare children for living in our society, which is a multiracial society. In addition, racial segregation imposes a badge of inferiority on minority students; integration is necessary to remove that badge. (Govt. Exs. 43, p. 27, 63, p. 21, and 64 pp. 41-42, Tr. pp. 334, 1735, 1870 and 2266)

E. The Existence of Feasible Methods of Overcoming Segregation.

28. The Government's expert witness, Dr. Gordon Foster, director of the Florida Desegregation Consulting Center, testified to the existence of two feasible integration plans for the District. One would involve integrating the student bodies of all schools in the District, while the other would involve most schools west of the Eaton Wash. He testified that in his opinion the District could implement the second plan by September, 1970 and Superintendent Ralph Hornbeck confirmed that the District could do so. The Court so finds. (Govt. Exs. 99A-D and 100 A-C, Tr. pp. 1122-1123 and 2285-2287)

IV. *Segregation of Faculty and Staff.*

A. Discrimination in the Assignment of Faculty and Staff Members.

29. There has never been a black teacher, administrator, or other certificated employee assigned to five of the elementary schools in the Pasadena District, Allendale, Linda Vista, Noyes, Sierra Madre and Sierra Mesa, and at another, San Rafael, one black teacher was assigned there for only one year. At a seventh, Willard, the first black teacher was assigned there for this school year. For the 1969-70 school year, there are only four black teachers assigned to the ten elementary schools located east of Allen Avenue. (Govt. Exs. 1-C, 3, 3-A, 3-B, 3-C, 4-C, and 6)

For every year for which figures are available, beginning in 1951, over 50 percent of the black certificated employees on the elementary level have been assigned to schools over 50 percent black. For the last three years over 80 percent of the black certificated employees at the elementary level were assigned to majority black schools, and for the 1969-70 school year only five of the 88 black certificated elementary school employees are assigned to the fifteen elementary schools at which black students comprise less than ten percent of the total enrollment. (Govt. Exs. 1, 1-C, 2, 3, 3-A, 3-B, 3-C, 4-C, and 5)

No black teachers, administrators or other certificated personnel were assigned to three of the five junior high schools in the Pasadena District until after the 1960-61 school year. One was assigned to Eliot Junior High School that year, and then in 1963-64 there was one assigned to Marshall and one to Wilson. For the last three years over half of the black certificated employees at the junior high school level have been assigned to Washington, which for that period has been over 75 percent black. There is still only one black teacher at Wilson Junior High School. (Govt. Exs. 1, 1-C, 3, 3-A, 3-B, 3-C, 4-C)

The District has never had a black principal at any school east of Lake Avenue. For the years which information is available, there has never been a black principal or assistant principal at any majority white elementary school. The only black principals or assistant principals at the elementary level since 1966-67 have been assigned to Franklin, Jackson, and Washington Elementary Schools, all schools with over 60 percent black enrollments. (Govt. Exs. 1, 1-C, 3-A, 3-B, 3-C, 4-C, 5, 95-A, 95-B)

The only black administrators at the junior high school level for the same four year period were at Washington Junior High and Eliot Junior High,[10] the two junior high schools with the highest black enrollment. One of these black administrators, Dr. Jesse Moses, principal at Washington Junior High School was transferred to Washington from McKinley Junior High School for the 1965-66 school year without his requesting the transfer, because the Board felt he would "provide good leadership for Washington," which at that time was 70 percent black. (Govt. Exs. 1, 1-C, 3, 3-A, 3-B, 3-C, 4-C, Tr. pp. 2066-2067)

30. The Pasadena District also consistently assigns black substitute teachers to majority black schools, and on the occasions that the black substitutes are assigned to majority white schools they are assigned to schools such as McKinley, Longfellow or Jefferson, rather than to schools such as Arroyo Seco, San Rafael, Sierra Madre or Sierra Mesa. The record shows that of the 619 days taught by black substitute teachers at the elementary level, 507½ (or 82 percent) of the days were spent in the eight most heavily black schools and only 18½ of the days were spent at the 13 schools that now have less than five percent black enrollment. (Govt. Exs. 1 and 9-A)

At the junior high school level, over 50 percent of the 433½ days taught by black substitute teachers were taught at Washington Junior High, the most heavily black junior high school. Similarly 130 of the 157 days taught by black substitute teachers

10. The black administrator at Eliot was there for the 1968-69 school year.

at the senior high school level were taught at Muir, the only minority white senior high school. (Govt. Exs. 1 and 9-A)

The District's assignment of black substitute teachers to black schools enables those substitute teachers who express a desire not to substitute at black schools to avoid doing so. An analysis of Govt. Ex. 9-B shows that the requests of substitute teachers who "don't like Negroes" or who express a desire to teach "on the east side" or "not to teach on the west side" are often granted. At the elementary level, the substitute teachers in Govt. Ex. 9-B who indicated a desire not to teach at majority black schools taught at majority white schools 85.8 percent of the time. (Govt. Exs. 1 and 9-B)

31. There is presently only one black nurse employed by the Pasadena District, of 27. At first she was assigned to Pasadena High School, but in August of 1965 Mrs. Banks received word that she had been transferred, without having submitted a request, from Pasadena High School to Cleveland and Franklin Elementary Schools, which were 90 and 68 percent black, respectively. At the time Mrs. Banks was not given an explanation for the transfer but was later told that she "could make a better contribution and would be an asset to the northwest community working in the two schools." She was replaced at Pasadena High School by a new, white nurse. (Govt. Exs. 1 and 7-A, Tr. pp. 868-872)

32. Another form of discriminatory teacher assignment in the District is one that relates not to the race of the teachers, but to the race of the students. That is the District's practice of assigning less well educated, less experienced and lower paid teachers to majority black schools more frequently than to majority white schools. For example, 28.3 percent of the teachers presently in the majority black elementary schools are probationary teachers with less than three years experience, while only 18.6 percent of the teachers in minority black elementary schools are classified as probationary teachers. Twenty of the sixty-one teachers (32.8 percent) at Washington Junior High

School are probationary, while at each of other junior high schools less than 25 percent of the teachers are probationary. (Govt. Exs. 1 and 31)

The average monthly salary at each of the thirteen elementary schools with enrollments less than 10 percent black is higher than the average monthly salary at any of the eight majority black elementary schools in the district. None of the majority white elementary schools has an average monthly salary as low as at any of the five most heavily black elementary schools. The average monthly salary at the thirteen schools with less than 10 percent black enrollment is almost 150 dollars more than that at the schools which have over 90 percent black enrollments. At the junior high school level, all but Washington Junior High School have average salaries over $1,000 a month. The average monthly salary at Washington, the only majority black junior high school is $968.88. (Govt. Exs. 1 and 31)

B. Discrimination in Hiring Teachers.

33. While 30 percent of the District's students are black, only ten percent of its faculty members are black. At the senior high school level, only 4.6 percent of the teachers are black. (Govt. Exs. 1-D and 3)

These figures are the result of six factors: active discrimination on the part of District personnel; assignment policies; unchecked veto power over hiring on the part of principals, department heads, and personnel officers; Pasadena's bad reputation among black persons for fair hiring practices; inadequate steps to overcome past discrimination; and a shortage of black teachers.

34. By 1958, the District had still hired only 13 black employees. In that year, Superintendent Jenkins came to Pasadena and gave instructions to improve the District's record. While the record did improve, to 122 in 1966-67, Dr. Jenkins' personnel officers continued actively to discriminate against

black applicants. (Govt. Exs. 3-A, 4-C, Tr. pp. 31-32, 87-88, 527, 568-569, 621, 786, 878-879, 885-886, 1953-1957)

Dr. Jenkins' successor, Dr. Salmon, also urged greater efforts to hire qualified black teachers. Again, his efforts were frustrated by personnel officers. (Govt. Exs. 1-C, 3, 3-A-3-C, Tr. pp. 291-295, 302-303, 1977-1978)

35. The District's policy and practice of assigning most black teachers to black schools leads directly to discrimination in hiring when the type of position a particular teacher seeks is open in white schools. No senior high school has a majority black enrollment. None has a faculty over eight percent black. (Govt. Exs. 1, 3, and 8-B)

36. Every principal and every district-wide department head has an absolute, unreviewed veto on applications for positions under their authority; the director of personnel and his chief assistant have absolute veto power over any applicant for any teaching position. There is no review of recordkeeping procedure for determining whether racial discrimination is a factor. The chief personnel officers have broad discretion to reject applicants without sending them on interviews and without making any record of reasons for rejection. Occasionally, personal intervention from the superintendent or other high District officials can reverse a rejection from the personnel department, but even such intervention has not always been successful. (Govt. Exs. 7-C, 8-B, 8-C, 42-A, pp. 19-27, 38, Tr. pp. 13-15, 65-66, 69, 89-95, 202-203, 291-295, 298-302, 837-841)

37. Defendants have been attempting to hire more black teachers. In the past year, 26 of the 150 teachers hired have been black and 19 have been of other minority racial or ethnic backgrounds. However, defendants have not used some readily available techniques for overcoming the effects of past discrimination. The District has never used black persons to recruit teachers. There has never been a black professional employee in the personnel department; there is now one black clerk among

eleven employees. The District has not written to placement offices at either predominantly white or predominantly Negro schools indicating its desire to hire qualified teachers without regard to race. (Govt. Exs. 42-A, pp. 35-36, 69, pp. 18, 22-23, Tr. p. 2268)

C. Discrimination in Hiring and Promoting Administrative Personnel.

38. The District has only two black principals, among a total of 37. The record discloses only one other black person who has been a principal. No black person has been a senior high school principal. Two of the senior high schools have each gained a black assistant principal, for the first time since 1968. There is one black assistant principal at the junior high school level, at Washington, and no black principal. There is no black assistant principal at an elementary school. The District has never had a black person at the level of superintendent or assistant superintendent or director of a department. For a period of three years, a black person was director of inter-group education and another black person was a consultant in intergroup education for two years. There has been one black consultant, in reading, for one year; no other consultant in any academic subject has been black. The District's record in the employment of black counselors has been fairly good since approximately 1965; although Mrs. Jeffalyn Johnson experienced difficulty, apparently because of a limit of one black counselor each at schools with large numbers of black students. According to Dr. Jenkins, one purpose of hiring black counselors was to provide training for those individuals to become assistant principals. None of the black counselors became an assistant principal, although numerous vacancies occurred. (Govt. Exs. 3-A-3-C, 4-A-4-C, 42-A, p. 55, 88-L, Tr. pp. 550-551, 556, 2068, 2072)

39. The Court heard testimony from three highly qualified black persons who left the District because of their frustration at being passed over repeatedly for appointments to administrative positions Ples Griffin, who is now Chief of the Bureau of Inter-

group Relations for the State Department of Education in Sacramento could not obtain a position as assistant principal in Pasadena. He was not notified of job openings for which he was qualified, although the District's formal procedures required that he be notified. Mrs. Minta Palmer, who is about to obtain a doctor's degree in education administration, left the District because she could not obtain that degree from the University of Southern California without administrative experience. Her principal at Madison Elementary School, Mr. Fink, advised her not to attempt to obtain administrative credentials, as he did not think there would be any opportunities for her to advance. She obtained the credentials, but found that Mr. Fink had been accurate in predicting her success; one job for which she was qualified was filled by a white person without her being notified of the vacancy. Other jobs she sought also went to white persons. Mr. Quentin Mason was a counselor, as Mr. Griffin had been. The personnel director advised him on one occasion that he was passed over because he had used abbreviations on a written examination. Dr. Mason had been advised of the examination the day he was to take it. He, like Griffin, tried for over three years to become an assistant principal before leaving to accept an administrative position elsewhere. Arthur Bias also encountered difficulty in being notified of job vacancies. When Mr. Bias learned of a head coaching job at Muir the principal told him he had already committed himself to giving the job to another, a white coach. Mr. Bias learned that a position at Blair had been open when the white replacement came to ask for help. (Govt. Ex. 42-A, pp. 28-31, Tr. pp. 726-731, 834-847, 962, 967-972, 1002, 1005-1008)

D. The Effect on Students of Discrimination in Hiring, Assignment, and Promotion.

40. Discrimination in the hiring, assignment, and promotion of black teachers and administrators adversely affects students of all races. Students need examples, in both teaching and admin-

istrative positions, of a multi-racial system. Black students need to see that equal opportunities for black teachers exist in order to believe that equal opportunities for black students exist. Additionally, black teachers will have better morale, and therefore do a better job teaching all students if they believe there is equal opportunity for placement and advancement. (Tr. pp. 303, 1066-1069)

V. *Construction.*

41. Defendants' plans at the time of trial for the construction and rehabilitation of elementary schools, if implemented, will intensify segregation in the District. Particularly, the construction of a new, six-classroom building at the old Arroyo Seco School site would lead to the creation of another white school. Even the construction of a school large enough to accommodate Arroyo Seco and Garfield students, another plan the Board is considering, would result in an abnormally small school, which would do little to relieve segregation of black students (it would have approximately 350 students, 50 of whom would be black). A school with larger capacity would contribute more to integration, but would be unnecessary if the District builds a school of adequate size at Linda Vista. (Govt. Exs. 1; 42-B, Ex. 23-C; and 70, Exs. 2-A and 3)

Defendants presently plan to rehabilitate the Linda Vista Elementary School at its former size, thus leaving it at a capacity of 255 students. At this capacity and at its present location the Linda Vista Elementary School has never enrolled more than 13 black students in any school for which records are in evidence. (Govt. Exs. 1; 14, 42B, Ex. 23C; and 70, Ex. 3)

42. Defendants' plan at the time of trial for desegregation of the junior high schools would, if implemented, impose burdens on black students to a greater extent than on white students. Defendants plan to close Washington Junior High School, principally because, "It is impossible without a great deal of bussing to create any kind of integration at that particular

school." This is a non sequitur, as closing Washington would require transportation of all the students normally assigned to that school. Dr. Foster presented a suggestion for an attendance area for Washington that would involve little, if any, additional transportation. What defendants oppose is transporting white pupils to school in a black neighborhood. (Govt. Exs. 1, 10-F, 99-C, 100-B; Def. Ex. W; Tr. pp. 647 and 1863)

43. Defendants have constructed new schools and built additions to existing schools in a manner that has contributed to the racial identifiability of schools in the District.

For example, in 1934 defendants constructed the Cleveland Elementary School on a 2.7 acre site at a capacity of 230 students. The school opened with a high percentage of minority students. Approximately one mile away, defendants maintained Linda Vista Elementary School on a five-acre site at a capacity of 255 students. In 1946-47, the first year ethnic enrollment statistics are available, the enrollment at Cleveland Elementary School was nine Caucasian students, 128 black students and 66 other students. The enrollment at the Linda Vista School during that school year was 170 students, all white. The combined enrollments of these two schools was 373, well below the optimum school size of 600 students which defendants state as their standard for minimum school capacity. (Govt. Exs. 1; 14; 27, p. 44; 68, Exs. 7 and 12; 70, Exs. 2A-2D; and 91)

Between 1956 and 1962 defendants increased the Cleveland Elementary School site from 2.7 acres to 3.9 acres. In 1962 defendants built a ten classroom addition to the Cleveland Elementary School. During the 1962-63 school year the Cleveland School had an enrollment of five Caucasian students, 432 black students, and 48 other students, while the adjoining Linda Vista School had an enrollment of 267 Caucasian students, no black students, and four other students. (Govt. Exs. 1; 14; 68-A, Ex. 12; 70, Ex. 2A; and 88-B)

In 1949, at a time when Caucasian students from the adjoining Garfield Elementary School attendance area were

attending Arroyo Seco Elementary School by virtue of the existence of neutral zones, defendants built a one room addition to the Arroyo Seco School. During the 1948-49 school year, the year previous to the addition, Arroyo Seco had capacity for 205 students and a total enrollment of 228 students consisting of 223 Caucasian students, no black students and five other students. During that same year Garfield was under-enrolled, with capacity for 385 students and a total student enrollment of 284 students consisting of 34 Caucasian students, 114 black students and 136 other students. (Govt. Exs. 1; 10-A; 11-L; 14; 70; Ex. 2A; and 88A)

In 1954 defendants constructed a three classroom addition to the Allendale Elementary School. During the 1953-54 school year, the year previous to the addition, the Allendale Elementary School had capacity for 290 students and a total enrollment of 308 consisting of 290 Caucasian students, no black students and 18 other students. The Garfield Elementary School, whose attendance area adjoins that of the Allendale Elementary School was under-enrolled during that same school year with a capacity of 385 students and a total enrollment of 305 students consisting of 37 Caucasian students, 153 black students and 115 other students. (Govt. Exs. 1; 14; 49-A; 49-B; and 70, Ex. 2A; Tr. pp. 599-602)

Defendants maintain that the appropriate capacity of an elementary school should be 600 students. Nevertheless, defendants have constructed and maintained Arroyo Seco Elementary School, Linda Vista Elementary School, and Noyes Elementary School with 11 or fewer classrooms, and capacities of less than 350, and with student enrollments over 90 percent white. Until 1962 defendants maintained the Cleveland Elementary School at a size of eight classrooms with a predominantly black student enrollment. (Govt. Exs. 1; 27, p. 44; and 70, Exs. 2A-2D)

44. Defendants have placed transportable classrooms at Negro schools to accommodate over-enrollment at those schools

while adjoining white schools had either fewer transportables or no transportables in the same school years.

Each year since 1961-62, Washington Elementary School has had at least three, and since 1966 at least ten, transportable classrooms on its grounds. The two majority white schools with adjacent attendance areas, Altadena and Longfellow, had no transportables from 1961-62 until 1969-70, when Longfellow received three (Washington has ten; Altadena has none). Similarly, predominantly black Cleveland School had transportables from 1960 until its addition opened in 1963, and predominantly black Jackson has had transportables every year since 1960 (six each year since 1964). Nearby, white Linda Vista had no transportables until 1969, when structural deficiencies required the use of four transportables. Linda Vista has the lowest pupil load, per site acre of any school in the District, with the exception of Noyes. A comparable situation has existed with Madison School, now 64 percent black, having between two and nine transportables each year since 1960. Nearby McKinley (11 percent black this year) has had no transportables, while Jefferson (six percent black) had none until 1964, and then only one year year until 1969-70, when it added 14 transportables due to structural difficulties with the main building. (Govt. Exs. 1; 10-F; 13-C; 14; and 70, Exs. 2-A through 2-D)

45. Defendants have maintained schools with student enrollment that are minority Caucasian under capacity while adjoining schools that are predominantly Caucasian are over-enrolled.

Since 1961-62 predominantly white Allendale Elementary School had been maintained over capacity. Garfield Elementary School, whose attendance area adjoins the attendance zone of the Allendale School has been under-enrolled in each school year since the 1961-62 school year. Defendants have failed to fill vacancies at Garfield with Caucasian students from Allendale. (Govt. Exs. 1, 10-F, 14, and 70, Exs. 2A-2B)

Defendants are currently maintaining Washington Junior High School, predominantly black in enrollment, at an enrollment level that is under the school's capacity by approximately 94 students. Defendants also maintain predominantly Caucasian Marshall Junior High School, whose attendance area adjoins Washington Junior High School's attendance zone, at over-capacity by approximately 90 students. Defendants have failed to assign white students attending Marshall to fill the vacancies existing at Washington Junior High School. (Govt. Exs. 1, 10-J, and 42B, Ex. 25)

During each year for which records are in evidence (1961-62 to the present) defendants have operated Pasadena High School over its capacity, while Muir High School has in each of those years been under-enrolled (Govt. Exs. 1; 42-B, Exs. 23-A, 23-B, 23-F, and 23-H). (Govt. Exs. 1; 11-H; 42B, Exs. 25; 68-A, Exs. 12; 70, Ex. 2-C)

VI. *Interclass Grouping.*

46. The District has two systems of grouping students that are in general use. At the elementary level, students identified as gifted are placed in classes with children who test at average to superior achievement levels, while students identified as below average academically are placed together with average and above average achievers. At the secondary level, students are grouped in "fast," "regular," and "slow" classes in English, social studies, science, and mathematics. (Govt. Exs. 27, pp. 7, 8; 29; 30; 33-A and 33-B; Tr. p. 1700)

In 1969, officials of the District began to permit variations in types of grouping. Three elementary schools have no groupings, and five of the secondary schools have begun to experiment with neterogeneous grouping procedures in some subjects. (Govt. Exs. 27, pp. 15, 16; and 53; Tr. p. 1838)

47. The racial effect of the grouping procedures generally in use in the District is to increase segregation. At every second-

ary school, a higher percentage of black than white students is in slow classes in every subject matter, and a higher percentage of white than black students is in fast classes. At some schools, the segregation is extensive. At McKinley Junior High School, for example, 52 percent of the white children in science are in fast classes, while two percent are in slow classes; 31 percent of the black children in science are in slow classes and one percent are in fast classes. Even in social studies the segregation is pronounced; 48 percent of the white children and five percent of the black children are in fast classes; 38 percent of the black children and six percent of the white children are in slow classes. Even at the elementary level, where the grouping procedures are most flexible, the racial effects are pronounced. Seventy-five percent of the white students attend classes with gifted students, while 60 percent of the black students do not. (Govt. Exs. 27, p. 32; 53 and 54)

48. The racial segregation that exists within integrated schools as a result of interclass grouping doubtless has numerous causes, not all of which are treated in the record. Three causes do not appear in the record, each of which involves elements of racial discrimination. One is that grouping assignments are based in part on scores obtained on achievement and "intelligence" tests. As the District's assistant superintendent for elementaray education acknowledged, such tests are racially discriminatory, based as they are primarily on verbal achievement. Another factor is that grouping assignments are based in part on teacher and counselor recommendations. The evidence shows that at least at some schools there is a tendency among some counselors and other school personnel to assume that Negro students, particularly Negroes of poor socio-economic backgrounds, will achieve poorly and to make low assignments accordingly. A third factor is that it is the District's policy, at least in elementary schools, to make higher placements than would otherwise be made simply because a parent requests higher placement. This policy favors children of assertive parents. In Pasadena, at least, white parents as a group tend to be more assertive than black parents. (Govt. Exs. 27, pp. 9, 10, 12, 16, 21, 22; Tr. pp. 96, 97, 117, 118, 516-520, 537, 541, 553, 554, 1076-1078, 1658-1661)

VII. *Transfers.*

49. Defendants have granted transfers that they knew or should have known were wholly or at least in part motivated by racial considerations, including baseless transfers that had the effect of intensifying racial segregation in the Pasadena schools.

50. Mr. Rex Ratcliffe filled out a transfer application stating in the black labeled "(S)school pupil desires to attend," the statement, "(A)ny where colored population is not in majority." He lives in the Washington zone. Although the principal of Longfellow Elementary School recommended that the transfer not be granted, defendants nevertheless granted Mr. Ratcliffe's two children transfers from Washington Elementary School to Longfellow Elementary School. (Govt. Exs. 1, 76-A and Supp.)

Mr. and Mrs. Wayne Stone filled out an application for their daughter Beverly to transfer from predominantly black Washington Junior High School to predominantly Caucasian Marshall Junior High School. As reason, they stated in part, "Please do not tell us that because of ethnic balance she cannot have a permit. I'm (we) sure one child is not going to make any difference. Would you send yours there under present conditions?" Defendants granted Beverly Stone the transfer. (Govt. Exs. 1 and 76-B)

Defendants have granted numerous transfer permits to white students to leave Washington Junior High School on the basis of fear or fights or the alleged bad condition of the school. (Govt. Exs. 80-A, 80-B, and 80-C)

51. The record reflects that the most frequently abused types of transfers are those for child care at the elementary level and for student's change of residence at the secondary level. (See Govt. Exs. 1; 67, Exs. 4 and 5; 78; 79-A; and 79-C, Tr. pp. 934, 948-950, 1033, and 1728-1729)

52. In addition, defendants have granted "hardship" and other miscellaneous transfers that had obvious racial effects, such as a "hardship" transfer to Marshall based chiefly on the fact a forceful father had enrolled his son there without a transfer. Another "hardship" transfer, to Longfellow, was "emphatically" opposed by the receiving principal, but granted by the assistant superintendent, in part because "all children in the area go to Longfellow." Another student who had enrolled without a permit at a white school outside his zone, Pasadena High School, was permitted to stay to take photography at Pasadena, Muir, the school serving his residence, has a photography course. (Govt. Exs. 1; 67, Ex. 10; 77; 79-B; Tr. pp. 937-945, 1527, and 1848)

53. Defendants adopted a policy of open transfers on July 30, 1968, whereby a student can transfer from the school of his normal attendance area if the transfer will improve ethnic balance in both the sending and receiving schools. However, such transfers are granted only to schools where space is declared available. Only four elementary schools meet these criteria. Three of these schools are in the far eastern portion of Pasadena —Don Benito Elementary School, Field Elementary School and Willard Elementary School—and are not easily accessible to the black students residing in the western portion of the city. To obtain a transfer to one of those schools, a child must provide his own transportation. The fourth receiving school is Cleveland Elementary School which has a 97.4 percent black student enrollment.

While permitting ethnic balance transfers only to schools at the edges of the District, defendants have permitted other intra-district transfers to such schools as Altadena, Longfellow and Jefferson. In fact, those three schools alone received a total of 140 transfer students in 1969-70. (Govt. Exs. 1; 10-F; 14, 35; 42B, Ex. 31)

54. The Court finds that although there have been abuses of the school district's transfer policies no injunction concerning transfers is necessary at this time, because of the integration to be required by commencement of the 1970-71 school year.

Conclusions of Law.

I.

Original Conclusions.

1. In *Brown* v. *Board of Education*, 347 U. S. 483 (1954), the Supreme Court was dealing, simply, with racial segregation. The Court made no distinction as to Northern segregation or Southern segregation. The Supreme Court held, simply, that segregated education is inherently unequal that it deprived Negro children of the educational opportunity to fulfill all their dreams in this country. It further held that all children are deprived, in a constitutional sense, by segregation.

2. Under the facts of this case, use of a strict neighborhood school policy and a policy against cross-town bussing take on constitutional significance as a violation of the Fourteenth Amendment to the Constitution of the United States.

II.

Supplementary Conclusions.

3. This court has jurisdiction of this action under 23 U. S. C. Sections 1343 and 1345.

4. Pursuant to the Fourteenth Amendment, and Title IV of the Civil Rights Act of 1964, this court had jurisdiction to hear and to decide all issues concerning alleged racial discrimination in public education in the Pasadena Unified School District, including policies with respect to assignments and transfers of students, the allocation of faculty and staff, and the location and construction of schools. *United States* v. *School District 151*, 286 F. Supp. 786 (N. D., Ill., 1968), *affirmed*, 404 F. 2d 1125 (C. A. 7, 1968), *United States* v. *Jefferson County Board of Education*, 372 F. 2d 836 (C. A. 5, 1966), *affirmed en banc*, 380 F. 2d 385 (C. A. 5, 1967), *cert. denied*, 389 U. S. 840

(1967); *Lee* v. *Macon County Board of Education*, 267 F. Supp. 458 (M. D. Ala., 1967), *affirmed*, 389 U. S. 215 (1967).

5. The chief significance of *Brown* is its holding that racially segregated public education is detrimental to school children, 347 U. S. at 494. See *United States* v. *Jefferson county Board of Education*, 372 F. 2d 836, 846, and 868 (C. A. 5, 1966). For the reason under the Fourteenth Amendment a public school body has an obligation to act affirmatively to promote integration, consistent with the principles of educational soundness and administrative feasibility.

6. A violation of the Fourteenth Amendment has occurred when public school officials have made a series of educational policy decisions which were based wholly or in part on considerations of the race of students or teachers and which have contributed to increasing racial segregation in the public school system. *Poindexter* v. *Louisiana Financial Assistance Commission*, 275 F. Spup. 833, 837 *et. seq.* (E. D. La., 1967), *affirmed*, 389 U. S. 571 (1968); *Hall* v. *St. Helena Parish School Board*, 197 F. Supp. 649, 652, (E. D. La., 1961), *affirmed*, 368 U. S. 515 (1962); *United States* v. *School District 151, supra*, 404 F. 2d at 1134; *Taylor* v. *Board of Education*, 191 F. Supp. 181 (S. D. N. Y., 1961), *affirmed*, 294 F. 2d 36 (C. A. 2, 1961) *cert. denied*, 368 U. S. 940 (1961); *Griffin* v. *County School Board*, 377 U. S. 218, 231 (1964).

7. When school officials consistently draw attendance lines so as to increase racial segregation, the presumption arises that they have done so to promote racial segregation of students, in violation of the Constitution. *United States* v. *School District 151*, 286 F. Supp. at 798.

8. School officials have an obligation to correct the effects of improperly drawn attendance zones. *Taylor* v. *Board of Education*, 294 F. 2d 36 (C. A. 2, 1961); c.f. *Gomillion* v. *Lightfoot*, 364 U. S. 399 (1960).

9. A school board may not, consistently with the law and the Fourteenth Amendment, use a neighborhood school policy

as a mask to perpetuate racial discrimination. *Board of Education* v. *Dowell*, 375 F. 2d 158, 166 (C. A. 10, 1967) *cert. denied*, 387 U. S. 931 (1967); *United States* v. *School District 151*, 286 F. Supp. at 798.

10. School boards may not build upon residential segregation, when that segregation is the result of either private or state enforced discrimination. *Brewer* v. *School Board of City of Norfolk*, 397 F. 2d 37, 41-42 (C. A. 4, 1968). Defendants have a duty to attempt to overcome the effects of residential segregation on student assignments. "Assignment of pupils to neighborhood schools is a sound concept, but it cannot be approved if residence in a neighborhood is denied to Negro pupils solely on the grounds of color." *Id* at 42; *United States* v. *School District 151*, 286 F. 2d at 798. See also, *Green* v. *County School Board*, 391 U. S. at 442.

11. The existence of residential segregation based upon discrimination may be inferred from evidence of the existence and enforcement by courts in the past of racially restrictive covenants. It may be inferred from testimony that there are significant areas of a community in which black persons do not and have not resided. It may be inferred from testimony that realtors have not sold, or have been reluctant to sell, houses in certain areas of the community to Negroes. *Dowell* v. *Board of Education of Oklahoma City*, 244 F. 2d 971, 980 (W. D. Okla. 1965), *affirmed*, 375 F. 2d 158 (C. A. 10, 1967).

12. When from the evidence it appears that racial discrimination has led to residential segregation and that the residential segregation is reflected in school enrollment figures, school officials have the burden to show that there are no educationally sound and administratively feasible alternatives available to overcome the existence of segregated schools. *United States* v. *School District 151*, 286 F. 2d at 798.

13. When school officials have located new schools and constructed additions to old schools, and failed to adjust school enrollments to fit school capacities, in such a way as to intensify

racial segregation, they have the affirmative duty "to *seek* means to eradicate" the results of their discriminatory acts. *United States* v. *Board of Public Instruction of Polk County, Florida,* 395 F. 2d 66, 69 (C. A. 5, 1968) (emphasis in original); *Lee* v. *Macon County Board of Education,* 267 F. Supp. 458, 472, and 480 (M. D. Ala. 1967).

14. Defendants' desegregation plans based primarily on the choice of students and their parents have been inadequate to meet defendants' Fourteenth Amendment obligations, as more effective methods of reducing segregation in both majority black and majority white schools have been available, *Green* v. *County Board of Education, supra; Adams* v. *Matthews,* 403 F. 2d 181, 189 (C. A. 5, 1968).

15. Recruitment and assignment of public school faculty and professional staff personnel, including classroom teachers, principals, and substitute teachers, on a racial basis, so as to establish schools that are racially identifiable by the composition of their faculties, deprive students of the right to be free of racial discrimination in the operation of public schools, in violation of the Fourteenth Amendment. *Rogers* v. *Paul,* 382 U. S. 198 (1965); *Bradley* v. *School Board of City of Richmond,* 382 U. S. 103 (1965); *Green* v. *County School Board,* 391 U. S. 430, 435. "Teachers and other professional staff members may not be discriminatorily assigned, dismissed, demoted, or passed over for retention, promotion or rehiring, on the grounds of race or color." *Stell* v. *Board of Education for City of Savannah,* 387 F. 2d 486, 497 (C. A. 5, 1967).

16. Discrimination on the basis of race in the hiring of public school faculty and professional staff personnel deprives students of the right to be free of racial discrimination in the operation of public schools, in violation of the Fourteenth Amendment. *United States* v. *Jefferson County Board of Education,* 372 F. 2d, 836, 893 (C. A. 5, 1966). "It is essential that school officials (1) cease practicing racial discrimination in the hiring and

assignment of *new* faculty members, and (2) take affirmative programmatic steps to correct existing effects of past racial assignments." *Id.,* (emphasis in original).

17. The defendants' present obligation, in order to overcome the effects of prior discrimination, is to allocate faculty and professional staff members so that no school is identifiable, by the racial composition of its faculty, as being tailored for a heavy concentration of black or white students. *United States* v. *Montgomery County Board of Education,* 395 U. S. 225, (1969); *United States* v. *Jefferson County Board of Education,* 380 F. 2d 385, 394 (C. A. 5, 1967); *Brewer* v. *City of Norfolk School Board,* 397 F. 2d 37, 39 (C. A. 4, 1968).

18. It the responsibility for faculty and staff desegregation is that of the defendants, not the teachers, and the achievement of the required objective may not be made contingent upon the willingness of teachers voluntarily to transfer from their present schools. If necessary, faculty and professional staff members shall be assigned or reassigned to schools in order to comply with this requirement. *United States* v. *Board of Education of City of Bessemer,* 396 F. 2d 44, 50-51 (C. A. 5, 1968); *Davis* v. *Board of School Commissioners of Mobile County,* 393 F. 2d 690, 695, 697, 698 (C. A. 5, 1968); *United States* v. *Greenwood Municipal Separate School District; supra at* 1093-94; *Monroe* v. *Commissioners of City of Jackson,* 380 F. 2d 955, 960 (C. A. 6, 1967), rev's on other grounds, 391 U. S. 450 (1968); *Kelley* v. *Altheimer,* 378 F. 2d 483, 498-99 (C. A. 8, 1967).

19. A school board may not, consistently with the Fourteenth Amendment, maintain segregated schools because of, or permit educational choices to be influenced by a policy of racial segregation in order to accommodate, community sentiment or the wishes of a majority of voters. *Cooper* v. *Aaron,* 358 U. S. 1, 12-13, 15-16 (1968); *Lucas* v. *Forty-Fourth General Assembly of State of Colorado,* 377 U. S. 713, 736-737 (1964); *Hall* v. *St. Helena Parish School Board,* 197 F. Supp. 649, 659,

(E. D. La. 1961), *affirmed*, 368 U. S. 515 (1961); *Reitman* v. *Mulkey*, 387 U. S. 369 (1967); *Monroe* v. *Board of Commissioners*, 391 U S. 450, 459 (1968); *United States* v. *School District 151*, 286 F. Supp. at 798.

20. The present constitutional obligation of school authorities who have caused and intensified racial segregation in a school system, in violation of the Fourteenth Amendment "is to come forward with a plan (of desegregation) that promises realistically to work, and promises realistically to work *now*." *Green* v. *County School Board*, 391 U. S. at 439. The right to an equal educational opportunity is of "paramount importance," and delays in vindicating that right are intolerable. *Alexander* v. *Holves County Board of Education*, 396 U. S. 19, 20 (1969); *Carter* v. *West Feliciana Parish School Board*, No. 944, Supreme Court, January 20, 1970.

21. School officials are obliged under the Fourteenth Amendment to attempt to make an equitable distribution of the teachers and administrators with experience and advanced training. By assigning teachers with less experience and training to schools with predominantly black enrollments defendants have denied equal protection of the laws to students in those schools. *Kelley* v. *Altheimer*, 378 F. 2d 483, 499 (C. A. 8, 1967).

22. That provision of 42 U. S. C. Sec. 2000c-6 relating to the power of courts and officials to require transportation of pupils to overcome racial imbalance in public schools must be construed to relate to so-called de facto or adventitious segregation. It is inapplicable in this case where the existing segregation of pupils and teachers is inseparable from the discriminatory practices and policies of the defendants. *United States* v. *Jefferson County Board of Education*, 372 F. 2d 836, 878-86 (C. A. 5, 1966); *United States* v. *School District 151*, 404 F. 2d 1125, 1130-32 (C. A. 7, 1968).

23. By requiring that students from two majority black residential areas, the Open District and the Audubon area, be transported to achieve integration, while not transporting children from majority white residential areas to achieve integration, defendants have placed an undue share of the burdens of desegregation on black children and, thus, have violated the Fourteenth Amendment. C.f. *Brice* v. *Landis*, No. 51805, N. D. Cal., August 8, 1969; *Quarles* v. *Oxford Municipal Separate School District*, C. A. No. WC6962-K, January 7, 1970.

Dated: This 12th day of March, 1970.

/s/ MANUEL L. REAL,
United States District Judge.

STIPULATION AND ORDER.

Filed and Entered 31 August 1970.

WHEREAS the Court on March 10, 1970, approved the Plan for integration of the Pasadena Unified School District as amended and modified and filed on March 2, 1970; and

WHEREAS the Court retained jurisdiction of this cause in order to continue to observe and evaluate the plans and the execution of the plans of the Pasadena Unified School District in regard to the hiring, promotion, and assignment of teachers and professional staff members, the construction and location of facilities, and the assignment of students; and

WHEREAS the defendant Board of Education on May 15, 1970, approved, subject to Court approval, an Alternative Plan for reorganization of the senior high schools of the District, grades nine through twelve, which Alternative Plan is contained in the memorandum attached to the affidavit of Ralph W. Hornbeck filed concurrently herewith and the same is incorporated herein by reference; and

WHEREAS the Alternative Plan provides a more effective educational plan by including students in the 9th grade with those of the 10th, 11th and 12th grades on the present high school campuses, with the Marshall campus serving as an adjunct campus to Pasadena High School; and

WHEREAS the Alternative Plan provides for a better ethnic distribution and avoids certain additional expenditures which would arise if the 9th grade was housed on separate campus;

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto through their respective attorneys of record:

That the Alternative Plan is in conformance with the Judgment entered herein January 28, 1970, and, subject to the

approval of the above Court, this Alternative Plan should be implemented.

Dated: August 20, 1970.

ALBERT C. LUM AND BOYKO AND SIMMONS,
By /s/ MICHAEL W. ROBERTS,
Michael W. Roberts,
Attorney for Plaintiff.

Dated: August 20, 1970.

JOHN N. MITCHELL,
Attorney General,
JERRIS LEONARD,
Assistant Attorney General,
ROBERT L. MEYER,
United States Attorney,
JAMES STOTTER, II,
Assistant United States Attorney.
By /s/ JAMES STOTTER, II,
James Stotter, II,
Attorneys for Plaintiff-Intervenor.

Dated: August 20, 1970.

POLLOCK, PALMER & METZLER,
JOHN P. POLLOCK,
JOHN ANDREW MILLER,
By /s/ JOHN P. POLLOCK,
John P. Pollock,
Attorneys for Defendants.

Dated: August 20, 1970.

JOHN D. MAHARG,
County Counsel.
JAMES W. BRIGGS,
Assistant County Counsel,
ELAINE M. GRILLO,
Deputy County Counsel,
By /s/ ELAINE M. GRILLO,
Elaine M. Grillo,
Attorneys for Defendants.

ORDER.

Good cause appearing therefore, it is ordered, that the Alternative Plan for the reorganization of the senior high schools of the Pasadena Unified School District, grades nine through twelve, is approved and the same shall be implemented.

Dated: August 31, 1970.

/s/ MANUEL L. REAL,
Manuel L. Real,
United States District Judge.

1970 EXHIBITS

EXHIBIT 1-C

Pasadena Unified School District
Racial and Ethnic Distribution of Enrollment

May 1962, February 1963, February 1964, February 1965, January 1966, October 1966, October 1967, and October 1968

Research Report 274A

Department of Research
Pasadena Unified School District

October 1968

TABLE OF CONTENTS.

	Page Number
Racial and Ethnic Distribution of Enrollment	
Elementary School Areas	
Allendale	1
Altadena	1
Arroyo Seco	2
Audubon	2
Burbank	2
Cleveland	3
Don Benito	3
Edison	3
Field	4
Franklin	4
Garfield	4
Hale	5
Hamilton	5
Jackson	5
Jefferson	6
Lincoln	6
Linda Vista	6
Loma Alta	7

Longfellow 7
Madison 7
McKinley 8
Noyes 8
Roosevelt 8
San Rafael 9
Sierra Madre 9
Sierra Mesa 9
Washington 10
Webster 10
Willard 10

Junior High School Areas

Eliot 11
Marshall 11
McKinley 11
Roosevelt 12
Washington 12
Wilson 12

Senior High School Areas

Blair 13
Muir 13
Pasadena 13
Foothill (Continuation) 14

Summary By Levels

Elementary 15
Junior High 15
Senior High 16
Unified School District 16

Contents

	Page
Elementary Schools	1
Special Education School	5
Junior High Schools	6
Senior High Schools	7
Summary: Elementary Schools	8
Summary: Junior High Schools	8
Summary: Senior High Schools	8
Summary: Secondary Schools	8
Summary: Special Education School	9
Summary: Education Center	9
Summary: Grand Totals, Unified District	9

ELEMENTARY	WHITE				NONWHITE								TOTAL
	Spanish Surname		Other White		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
ALLENDALE													
Pupils - 1966	50	11.0	396	87.2	0	--	7	1.6	0	--	1	0.2	454
1967	64	13.6	392	83.4	0	--	11	2.3	0	--	3	0.7	470
1968	65	13.6	391	82.0	0	--	16	3.4	1	0.2	4	0.8	477
Teachers	0		15		0		0		0		0		15
Administrators	0		1		0		0		0		0		1
Other Instr.*	0		0		0		0		0		0		0
ALTADENA													
Pupils - 1966	43	5.6	659	76.4	116	13.5	17	2.0	0	--	22	2.5	862
1967	46	5.4	635	74.6	148	17.4	16	1.9	0	--	6	0.7	851
1968	56	6.6	571	66.7	197	23.0	26	3.0	0	--	6	0.7	856
Teachers	0		23		3		0		0		0		26
Administrators	0		2		0		0		0		0		2
Other Instr.	0		1		0		0		0		0		1
ARROYO SECO													
Pupils - 1966	2	1.2	163	98.8	0	--	0	--	0	--	0	--	165
1967	7	5.0	133	95.0	0	--	0	--	0	--	0	--	140
1968	12	8.5	120	84.5	10	7.0	0	--	0	--	0	--	142
Teachers	0		6		0		0		0		0		6
Administrators	0		0		0		0		0		0		**
Other Instr.	0		0		0		0		0		0		0
AUDUBON													
Pupils - 1966	50	8.6	280	48.1	218	37.5	29	5.0	0	--	5	0.8	582
1967	44	7.4	215	36.0	304	50.9	29	4.9	0	--	5	0.8	597
1968	43	7.1	157	25.9	375	61.9	25	4.1	0	--	6	1.0	606
Teachers	0		18		2		0		0		0		20
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		1		0		0		0		1
BURBANK													
Pupils - 1966	1	0.2	536	97.4	11	2.0	2	0.4	0	--	0	--	550
1967	16	2.8	537	94.7	10	1.7	2	0.4	2	0.4	0	--	567
1968	24	4.4	504	92.6	9	1.7	6	1.1	1	0.2	0	--	544
Teachers	0		16		0		2		0		0		18
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0
CLEVELAND													
Pupils - 1966	12	2.3	10	1.9	491	94.4	7	1.4	0	--	0	--	520
1967	17	3.2	30	5.7	472	89.6	6	1.1	0	--	2	0.4	527
1968	15	2.9	9	1.7	479	93.4	6	1.2	0	--	4	0.8	513
Teachers	0		11		7		1		0		0		19
Administrators	0		1		0		0		0		0		1
Other Instr.	0		2		0		0		0		0		2

* Abbreviation for Instructional Staff. Does not include nurses this year. Last year, the term "Other Certificated" included nurses.

** Principal at Garfield has administrative responsibilities for Arroyo Seco School.

ELEMENTARY	WHITE				NONWHITE								TOTAL
	Spanish Surname		Other White		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
DON BENITO													
Pupils - 1966	6	1.0	571	93.6	24	3.9	8	1.3	0	--	1	0.2	610
1967	6	1.1	539	96.8	3	0.5	9	1.6	0	--	0	--	557
1968	10	1.8	524	96.1	3	0.6	8	1.5	0	—	0	--	545
Teachers	0		17		0		0		0		0		17
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0
EDISON													
Pupils - 1966	40	5.6	334	46.5	328	45.7	15	2.1	0	--	1	0.1	718
1967	43	6.6	242	37.0	339	51.8	27	4.1	0	--	3	0.5	654
1968	49	8.1	200	33.0	322	53.1	21	3.5	4	0.7	10	1.6	606
Teachers	0		18		1		1		0		0		20
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0
FIELD													
Pupils - 1966	43	7.2	548	91.3	6	1.0	3	0.5	0	—	0	--	600
1967	34	6.0	528	92.8	2	0.3	5	0.9	0	--	0	--	569
1968	62	11.2	484	87.7	0	—	6	1.1	0	--	0	—	552
Teachers	0		16		0		1		0		0		17
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0
FRANKLIN													
Pupils - 1966	47	7.9	83	13.9	438	73.2	24	4.0	2	0.3	4	0.7	598
1967	43	6.6	66	10.1	522	79.8	18	2.7	3	0.5	2	0.3	654
1968	37	6.3	57	9.6	475	80.5	14	2.4	3	0.5	4	0.7	590
Teachers	0		13		8		1		0		0		22
Administrators	0		0		1		0		0		0		1
Other Instr.	0		0		1		0		0		0		1
GARFIELD													
Pupils - 1966	104	30.3	90	26.2	125	36.4	18	5.3	4	1.2	2	0.6	343
1967	103	31.9	86	26.7	114	35.3	12	3.7	4	1.2	4	1.2	323
1968	104	36.8	85	30.0	81	28.6	10	3.5	3	1.1	0	--	283
Teachers	1		7		2		0		0		0		10
Administrators	0		1		0		0		0		0		1
Other Instr.	0		2		0		0		0		0		2
HALE													
Pupils - 1966	21	4.2	444	87.9	25	4.9	8	1.6	0	—	7	1.4	505
1967	24	5.0	429	89.0	13	2.7	6	1.2	0	—	10	2.1	482
1968	29	6.0	415	86.5	12	2.5	7	1.5	0	--	17	3.5	480
Teachers	0		17		0		0		0		0		17
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0

ELEMENTARY	WHITE				NONWHITE								TOTAL
	Spanish Surname		Other White		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
HAMILTON													
Pupils - 1966	59	9.2	543	84.3	1	0.2	13	2.0	0	—	28	4.3	644
1967	69	10.9	533	84.2	2	0.3	19	3.0	0	--	10	1.6	633
1968	100	15.8	495	78.1	3	0.5	18	2.8	0	—	18	2.8	634
Teachers	0		18		1		0		0		0		19
Administrators	0		1		0		0		0		0		1
Other Instr.	0		1		0		0		0		0		1
JACKSON													
Pupils - 1966	51	6.5	63	8.1	532	68.2	130	16.7	0	—	4	0.5	780
1967	38	5.3	43	6.0	537	74.5	101	14.0	1	0.1	1	0.1	721
1968	30	4.3	42	6.0	548	78.3	77	11.0	0	—	3	0.4	700
Teachers	0		18		5		0		0		0		23
Administrators	1		0		1		0		0		0		2
Other Instr.	0		1		1		0		0		0		2
JEFFERSON													
Pupils - 1966	121	13.8	674	76.9	34	3.9	12	1.4	0	—	35	4.0	876
1967	141	17.2	596	72.8	40	4.9	19	2.3	0	—	23	2.8	819
1968	145	18.4	556	70.5	36	4.6	26	3.3	0	—	25	3.2	788
Teachers	0		27		1		0		0		0		28
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0
LINCOLN													
Pupils - 1966	133	13.8	41	4.2	760	78.7	26	2.7	0	—	6	0.6	966
1967	81	8.9	42	4.6	768	84.3	19	2.1	0	--	1	0.1	911
1968	79	9.0	46	5.2	738	83.7	15	1.7	1	0.1	3	0.3	882
Teachers	0		12		13		4		0		0		29
Administrators	0		2		0		0		0		0		2
Other Instr.	2		16		5		0		0		0		23
LINDA VISTA													
Pupils - 1966	4	1.4	256	91.8	13	4.7	2	0.7	0	--	4	1.4	279
1967	1	0.5	216	96.0	3	1.3	5	2.2	0	--	0	--	225
1968	1	0.5	207	95.4	3	1.4	4	1.8	0	--	2	0.9	217
Teachers	0		8		0		0		0		0		8
Administrators	0		0		0		0		0		0		*
Other Instr.	0		0		0		0		0		0		0
LOMA ALTA													
Pupils - 1966	29	4.7	477	78.1	92	15.1	8	1.3	0	—	5	0.3	611
1967	24	4.1	448	76.6	102	17.4	9	1.5	1	0.2	1	0.2	585
1968	22	4.1	353	65.4	155	28.7	9	1.6	0	—	1	0.2	540
Teachers	0		17		1		0		0		0		18
Administrators	0		1		0		0		0		0		1
Other Instr.	0		1		0		0		0		0		1

Principal at Sierra Madre Elementary School has administrative responsibilities for Linda Vista School.

	WHITE				NONWHITE								TOTAL
	Spanish Surname		Other White		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
LONGFELLOW													
Pupils - 1966	80	7.9	824	81.3	64	6.3	41	4.0	0	--	5	0.5	1014
1967	104	10.0	817	78.3	74	7.1	39	3.7	1	0.1	9	0.8	1044
1968	123	11.1	794	72.0	122	11.1	44	4.0	0	--	20	1.8	1103
Teachers	1		30		3		0		0		0		34
Administrators	0		2		0		0		0		0		2
Other Instr.	0		2		0		0		0		0		2
MADISON													
Pupils - 1966	130	16.2	197	24.6	444	55.4	10	1.2	1	0.1	20	2.5	802
1967	144	16.2	216	24.4	513	57.8	11	1.3	1	0.1	2	0.2	887
1968	144	15.4	176	18.9	596	63.8	17	1.8	1	0.1	0	--	934
Teachers	0		19		10		0		0		0		29
Administrators	0		2		0		0		0		0		2
Other Instr.	0		3		1		0		0		0		4
McKINLEY													
Pupils - 1966	36	15.9	160	70.5	21	9.2	5	2.2	0	--	5	2.2	227
1967	46	22.3	128	62.1	28	13.6	2	1.0	0	--	2	1.0	206
1968	50	19.6	149	58.4	46	18.0	5	2.0	0	--	5	2.0	255
Teachers	0		7		3		0		0		0		10
Administrators	0		1		0		0		0		0		1
Other Instr.	0		1		0		0		0		0		1
NOYES													
Pupils - 1966	0	--	382	99.1	1	0.3	1	0.3	0	--	1	0.3	385
1967	0	--	344	98.2	2	0.6	2	0.6	0	--	2	0.6	350
1968	2	0.6	336	97.6	1	0.3	2	0.6	1	0.3	2	0.6	344
Teachers	1		9		0		0		0		0		10
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0
SAN RAFAEL													
Pupils - 1966	2	0.4	471	98.1	0	--	7	1.5	0	--	0	--	480
1967	2	0.4	457	97.5	1	0.2	9	1.9	0	--	0	--	469
1968	9	2.1	411	96.0	1	0.2	7	1.7	0	--	0	--	428
Teachers	0		15		0		0		0		0		15
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0
SIERRA MADRE													
Pupils - 1966	34	4.9	655	94.1	0	--	7	1.0	0	--	0	--	696
1967	36	5.9	555	91.0	0	--	7	1.1	0	--	12	2.0	610
1968	38	6.8	507	90.4	0	--	10	1.8	0	--	6	1.0	561
Teachers	0		18		0		0		0		0		18
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0

* Principal at Allendale Elementary School has administrative responsibilities for McKinley Elementary School.

	WHITE				NONWHITE								TOTAL
	Spanish Surname		Other White		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
SIERRA MESA													
Pupils - 1966	15	3.2	458	96.4	0	--	2	0.4	0	--	0	--	475
1967	16	3.5	438	96.1	0	--	2	0.4	0	--	0	--	456
1968	19	4.2	434	95.0	0	--	2	0.4	2	0.4	0	--	457
Teachers	0		13		0		1		0		0		14
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0
WASHINGTON													
Pupils - 1966	60	5.1	57	4.9	1025	87.4	22	1.9	0	--	8	0.7	1172
1967	57	4.9	38	3.2	1047	89.9	22	1.9	0	--	1	0.1	1165
1968	47	4.1	47	4.1	1036	90.2	18	1.5	1	0.1	0	--	1149
Teachers	0		24		13		0		0		0		37
Administrators	0		2		0		0		0		0		2
Other Instr.	0		8		1		0		0		0		9
WEBSTER													
Pupils - 1966	13	1.9	640	94.3	25	3.7	1	0.1	0	--	0	--	679
1967	12	1.8	644	94.6	22	3.2	3	0.4	0	--	0	--	681
1968	22	3.1	656	92.9	20	2.8	6	0.9	0	--	2	0.3	706
Teachers	0		22		1		0		0		0		23
Administrators	0		1		0		0		0		0		1
Other Instr.	0		0		0		0		0		0		0
WILLARD													
Pupils - 1966	52	6.0	819	93.8	0	--	2	0.2	0	--	0	--	873
1967	39	4.5	815	94.0	3	0.3	6	0.7	0	--	4	0.5	867
1968	63	7.6	743	89.9	6	0.7	14	1.7	0	--	1	0.1	827
Teachers	0		31		0		0		0		0		31
Administrators	0		2		0		0		0		0		2
Other Instr.	0		0		0		0		0		0		0
SPECIAL EDUCATION													
ROOSEVELT													
Pupils - 1966	7	5.2	80	58.8	42	30.9	4	2.9	0	--	3	2.2	136
1967	9	6.3	82	56.9	47	32.6	5	3.5	0	--	1	0.7	144
1968	11	7.9	80	57.6	42	30.2	6	4.3	0	--	0	--	139
Teachers	0		14		0		0		0		0		14
Administrators	0		1		0		0		0		0		1
Other Instr.	0		1		0		0		0		0		1

BEST COPY AVAILABLE

JUNIOR HIGH	WHITE				NONWHITE								TOTAL
	Spanish Surname		Other White		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
ELIOT													
Pupils - 1966	66	4.1	1210	74.6	298	18.4	39	2.4	0	—	9	0.5	1622
1967	65	3.8	1200	70.9	380	22.5	39	2.3	0	--	9	0.5	1693
1968	73	4.2	1102	63.8	499	28.8	39	2.2	1	0.1	16	0.9	1730
Teachers	0		62		7		2		0		0		71
Administrators	0		2		1		0		0		0		3
Other Instr.	0		2		1		0		0		0		3
MARSHALL													
Pupils - 1966	68	3.8	1592	88.2	89	4.9	25	1.4	0	—	30	1.7	1804
1967	76	4.4	1525	88.6	84	4.9	30	1.7	0	--	7	0.4	1722
1968	152	8.6	1457	82.5	127	7.2	29	1.6	2	0.1	0	—	1767
Teachers	0		69		1		0		0		0		70
Administrators	0		3		0		0		0		0		3
Other Instr.	0		4		1		0		0		0		5
McKINLEY													
Pupils - 1966	155	13.0	734	61.6	232	19.5	49	4.1	0	—	21	1.8	1191
1967	168	14.4	716	61.3	229	19.6	51	4.4	0	--	3	0.3	1167
1968	169	14.6	699	60.3	236	20.3	52	4.5	1	0.1	3	0.2	1160
Teachers	1		45		4		0		0		0		50
Administrators	0		3		0		0		0		0		3
Other Instr.	1		3		1		0		0		0		5
WASHINGTON													
Pupils - 1966	77	6.2	134	10.7	886	71.1	131	10.5	1	0.1	18	1.4	1247
1967	87	6.5	114	8.5	1017	76.2	108	8.1	0	—	8	0.6	1334
1968	57	4.5	54	4.2	1057	82.9	99	7.8	0	—	8	0.6	1275
Teachers	0		38		20		0		0		0		58
Administrators	1		2		1		0		0		0		4
Other Instr.	0		7		3		1		0		0		11
WILSON													
Pupils - 1966	60	4.1	1351	93.1	3	0.2	26	1.8	0	—	12	0.8	1452
1967	81	5.6	1323	91.4	2	0.1	26	1.8	1	0.1	14	1.0	1447
1968	84	5.9	1298	91.5	5	0.4	21	1.5	1	0.1	9	0.6	1418
Teachers	1		56		1		0		0		0		58
Administrators	0		3		0		0		0		0		3
Other Instr.	0		5		0		0		0		0		5

HIGH SCHOOL	WHITE				NONWHITE								TOTAL
	Spanish Surname		Other White		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
BLAIR HIGH													
Pupils - 1966	148	11.4	789	60.8	286	22.1	48	3.7	1	0.1	25	1.9	1297
1967	185	13.0	853	59.8	318	22.3	62	4.3	1	0.1	7	0.5	1426
1968	180	12.5	882	61.2	311	21.6	59	4.1	3	0.2	6	0.4	1442
Teachers	3		57		6		1		0		0		67
Administrators	0		3		0		0		0		0		3
Other Instr.	0		5		1		0		0		0		6
MUIR HIGH													
Pupils - 1966	95	4.6	1132	54.4	677	32.6	167	8.0	0	—	8	0.4	2079
1967	87	4.1	1039	49.5	795	37.9	169	8.1	0	--	8	0.4	2098
1968	110	5.6	956	49.1	717	36.8	157	8.1	2	0.1	5	0.3	1947
Teachers	0		86		4		1		0		0		91
Administrators	0		4		1		0		0		0		5
Other Instr.	0		7		2		0		0		0		9
PASADENA HIGH													
Pupils - 1966	110	3.2	2994	86.6	274	7.9	50	1.4	3	0.1	26	0.8	3457
1967	134	3.9	2936	86.2	280	8.2	46	1.3	5	0.2	6	0.2	3407
1968	143	4.2	2860	83.6	334	9.7	54	1.6	0	—	31	0.9	3422
Teachers	4		141		3		0		0		0		148
Administrators	0		4		0		0		0		0		4
Other Instr.	0		13		0		0		0		0		13
FOOTHILL HIGH													
Pupils - 1966	18	8.8	98	48.1	88	43.1	0	—	0	—	0	—	204
1967	7	5.8	82	68.3	28	23.3	2	1.7	0	—	1	0.9	120
1968	26	10.8	123	51.3	91	37.9	0	—	0	—	0	—	240
Teachers	0		11		0		0		0		0		11
Administrators	0		1		0		0		0		0		1
Other Instr.	0		1		0		0		0		0		1

BEST COPY AVAILABLE

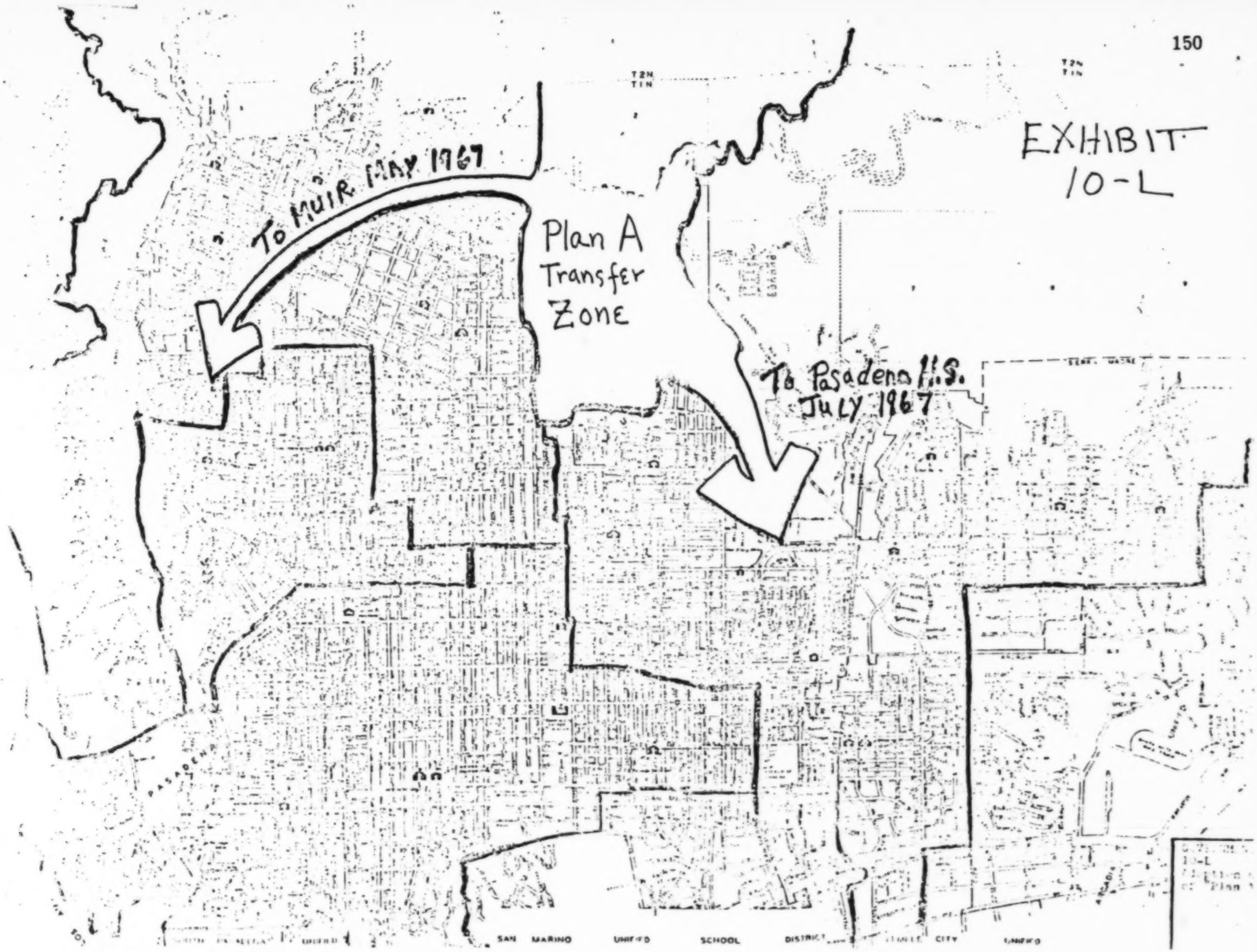
ELEMENTARY	WHITE: Spanish Surname No.	WHITE: Spanish Surname Per Cent	WHITE: Other White No.	WHITE: Other White Per Cent	NONWHITE: Negro No.	NONWHITE: Negro Per Cent	NONWHITE: Chinese, Japanese, Korean No.	NONWHITE: Chinese, Japanese, Korean Per Cent	NONWHITE: American Indian No.	NONWHITE: American Indian Per Cent	NONWHITE: Other Nonwhite No.	NONWHITE: Other Nonwhite Per Cent	TOTAL No.
ALL ELEM.SCHOOLS													
Pupils - 1966	1243	7.1	10831	62.0	4794	27.5	427	2.5	7	0.0	164	0.9	17466
1967	1257	7.4	10162	59.7	5069	29.8	416	2.4	13	0.1	103	0.6	17020
1968	1400	8.4	9469	56.6	5274	31.6	419	2.5	18	0.1	139	0.8	16719
Teachers	3	0.5	465	84.1	74	13.4	11	2.0	0	0.0	0	0.0	553
Administrators	1	3.0	30	90.9	2	6.1	0	0.0	0	0.0	0	0.0	33
Other Instr.	2	4.0	38	76.0	10	20.0	0	0.0	0	0.0	0	0.0	50
SECONDARY													
JR.HIGH TOTALS													
Pupils - 1966	426	5.8	5021	68.7	1508	20.6	270	3.7	1	0.0	90	1.2	7316
1967	477	6.5	4878	66.3	1712	23.3	254	3.4	1	0.0	41	0.5	7363
1968	535	7.3	4610	62.7	1924	26.2	240	3.2	5	0.1	36	0.5	7351
Teachers	2	0.7	270	87.9	33	10.7	2	0.7	0	0.0	0	0.0	307
Administrators	1	6.2	13	81.3	2	12.5	0	0.0	0	0.0	0	0.0	16
Other Instr.	1	3.4	21	72.5	6	20.7	1	3.4	0	0.0	0	0.0	29
SR.HIGH TOTALS													
Pupils - 1966	371	5.3	5013	71.2	1325	18.8	265	3.8	4	0.1	59	0.8	7037
1967	413	5.9	4910	69.6	1421	20.1	279	4.0	6	0.1	22	0.3	7051
1968	459	6.5	4821	68.4	1453	20.6	270	3.8	5	0.1	42	0.6	7051
Teachers	7	2.2	295	93.1	13	4.1	2	0.6	0	0.0	0	0.0	317
Administrators	0	0.0	12	92.3	1	7.7	0	0.0	0	0.0	0	0.0	13
Other Instr.	0	0.0	26	89.7	3	10.3	0	0.0	0	0.0	0	0.0	29
ALL JR. & SR. HIGH SCHOOLS													
Pupils - 1966	797	5.6	10034	69.9	2833	19.7	535	3.7	5	0.0	149	1.1	14353
1967	890	6.2	9788	67.9	3133	21.7	533	3.7	7	0.1	63	0.4	14414
1968	994	6.9	9431	65.5	3377	23.5	510	3.5	10	0.1	78	0.5	14400
Teachers	9	1.4	565	90.6	46	7.4	4	0.6	0	0.0	0	0.0	624
Administrators	1	3.5	25	86.2	3	10.3	0	0.0	0	0.0	0	0.0	29
Other Instr.	1	1.7	47	81.1	9	15.5	1	1.7	0	0.0	0	0.0	58

BEST COPY AVAILABLE

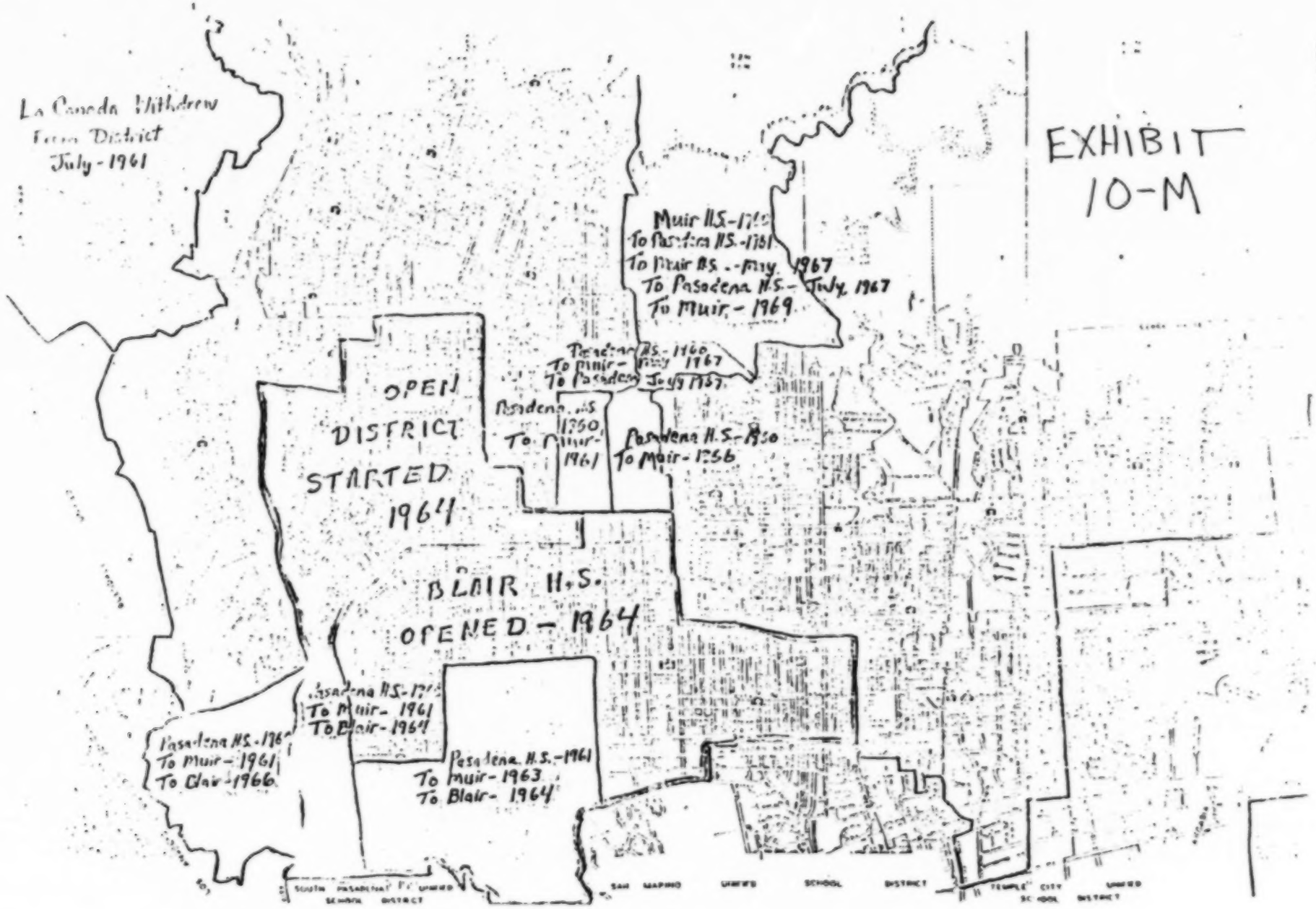
SPECIAL ED.	WHITE: Spanish Surname No.	WHITE: Spanish Surname Per Cent	WHITE: Other White No.	WHITE: Other White Per Cent	NONWHITE: Negro No.	NONWHITE: Negro Per Cent	NONWHITE: Chinese, Japanese, Korean No.	NONWHITE: Chinese, Japanese, Korean Per Cent	NONWHITE: American Indian No.	NONWHITE: American Indian Per Cent	NONWHITE: Other Nonwhite No.	NONWHITE: Other Nonwhite Per Cent	TOTAL No.
ROOSEVELT													
Pupils - 1966	7	5.2	80	58.8	42	30.9	4	2.9	0	0.0	3	2.2	136
1967	9	6.2	82	57.0	47	32.6	5	3.5	0	0.0	1	0.7	144
1968	11	7.9	80	57.6	42	30.2	6	4.3	0	0.0	0	0.0	139
Teachers	0	0.0	14	100.0	0	0.0	0	0.0	0	0.0	0	0.0	14
Administrators	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Other Instr.	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	1
ED. CENTER													
Pupils -													
H.T.* 1966	1	4.5	13	59.1	8	36.4	0	0.0	0	0.0	0	0.0	22
1967	2	15.4	7	53.8	4	30.8	0	0.0	0	0.0	0	0.0	13
1968	0	0.0	9	52.9	8	47.1	0	0.0	0	0.0	0	0.0	17
P.S.** 1967	10	5.3	10	5.3	167	88.4	2	1.0	0	0.0	0	0.0	189
1968	17	8.1	19	9.1	171	81.8	0	0.0	0	0.0	2	1.0	209
Instructional Staff at Ed. Center, 1968***	2	2.7	60	81.1	12	16.2	0	0.0	0	0.0	0	0.0	74
DISTRICT TOTAL													
Pupils - 1966	2048	6.4	20958	65.6	7677	24.0	966	3.0	12	0.0	316	1.0	31977
1967	2168	6.8	20049	63.1	8420	26.5	956	3.0	20	0.1	167	0.5	31780
1968	2422	7.7	19008	60.4	8372	28.2	935	2.9	28	0.1	219	0.7	31484
Teachers, Classroom-1968	32	1.0	1044	87.7	120	10.1	15	1.2	0	0.0	0	0.0	1191
Other Instructional Staff at Schools - 1968	3	2.8	86	78.9	19	17.4	1	0.9	0	0.0	0	0.0	109
Instructional Staff at Ed. Center - 1968***	2	2.7	60	81.1	12	16.2	0	0.0	0	0.0	0	0.0	74
Administrators at Schools - 1968	2	3.2	56	88.9	5	7.9	0	0.0	0	0.0	0	0.0	63

* H.T. - Home Teaching
** P.S. - Preschool
*** Instructional Staff at Education Center includes certificated personnel who work directly with students but are not assigned to any one school: special reading teachers, psychologists, music teachers, art consultants, etc.

EXHIBIT
10-L



BEST COPY AVAILABLE



BEST COPY AVAILABLE

EXHIBIT 11-O(a).

Pasadena City Schools
Office of the Superintendent of Schools

May 7, 1963

A PLAN FOR GEOGRAPHIC AND CONTROLLED OPEN DISTRICTING WITH THREE HIGH SCHOOLS.

The Plan

1. The unified district would be divided into three high school zones on the basis of the geographic distribution of Caucasian and other non-Negro students.

2. Negro students would have open districting and would be permitted to attend any one of the three high schools, with the condition that a capacity figure would be assigned to each school so that the maximum number enrolled in any one school each year would be controlled.

3. Transportation could be provided throughout all of the high school district in accordance with the present policy. With a third high school, this would require no additional transportation costs.

4. In summary, Caucasians and others would attend the high school in the zone in which they reside, while Negroes would have a choice of high schools on the basis of controlled open districting.

The Result

Starting in 1964, with the completion of the first package increment to house 500 tenth graders in a new third high school, the enrollment and ethnic distribution would be as follows:

	64-65			65-66			66-67		
	*C and Other	Negro	Total	*C and Other	Negro	Total	*C and Other	Negro	Total
Muir	2101	665	2766	2062	560	2622	1989	450	2439
%	76.0%	24.0%		78.6%	21.4%		81.5%	18.5%	
PHS	3202	200	3402	2938	300	3238	2701	400	3101
%	94.1%	5.9%		90.7%	9.3%		87.1%	12.9%	
3rd HS	391	85	476	768	165	933	1170	250	1420
%	82.1%	17.9%		82.3%	17.7%		82.4%	17.6%	
Totals	5694	950	6644	5768	1025	6793	5860	1100	6960
%	85.7%	14.3%		84.9%	15.1%		84.2%	15.8%	

*Caucasian and others.

EXHIBIT 11-O(b).

Minutes of Regular Meeting — Page No.
June 11, 1963-No.55 — 13,950

Bond issue. She stated that the Council was very appreciative of the help of the Board Members, Dr. Jenkins, and Mr. Norene, in presenting the facts to the parents.

Mr. Stivers asked if those schools who were unable to take action at this time, would be given another opportunity after the start of school in September. *Mrs. Johnson* replied that it would be up to each local unit to decide.

Dr. Jenkins stated that Neptune & Thomas and Associates, the architects for the third high school, have been very busily studying the present high school, analyzing sites and determining how the school could be developed on each of two sites about which the Board is really serious. He said that they have the educational specifications from previous planning for Pasadena High School and Muir High School, which are all being up-dated under the supervision of Mr. Norene.

Dr. Jenkins expressed the hope that he would have a recommendation on the site in the very near future so that plans can move ahead. He noted that the architectural firm is an excellent one, who is willing to work with the Board and staff every step of the way so that the project will be completed by September 1964.

Mrs. LaMotte commented that a word of appreciation and congratulations was due the PTA for moving in so quickly to schedule meetings in order to have its members vote on whether they wished to support a bond issue for the propsed third high school. She felt that they had done a remarkable job.

Mr. Stivers assured Mrs. Johnson that the entire Board shared with Mrs. LaMotte in extending their thanks and congratulations.

High School Districting

Dr. Jenkins announced that although the County Counsel had received calls from all over the State requesting copies of his opinion on the redistricting proposals for Pasadena's senior high schools, the opinion was being released publicly for the first time that day.

Since the opinion is very lengthy, he touched only on the following key points, and the complete opinion is attached to the permanent minutes:

> "The Citizens-Staff Advisory Committee on Districting is to be commended for its intensive and comprehensive investigation of the districting problems facing the Pasadena City High Schools. Their conscientious deliberations and unstinting efforts are indicative of the highest degree of civic responsibility."

With regard to the four recommendations of the Citizens-Staff Advisory Committee On Districting, County Counsel ruled as follows:

> "It is our opinion that no legal problems are presented by the second, third, or fourth recommendations. However, as to Recommendation 1, it is our opinion that its implementation would run counter to the equal protection clause of the Fourteenth Amendment to the United States Constitution. The attendance area boundaries delineated in Plan B are not on their face rational or reasonable. The boundaries are drawn in such a way that some students, who must go to Pasadena High School, will actually have to pass through John Muir High School attendance areas and pass busses carrying pupils who are required to attend the John Muir High School. The boundaries are also such that the reverse is true. We think also that the percentage of quota system established by Recommendation 1 insofar as it would affect the rights of individuals would be held by the courts to be unconstitutional.
>
> "An attendance area boundary line which is not national or reasonable cannot be justified merely by ethic considerations."

Deployment Schools Proposal.

> "The deployment schools proposal is a plan for deploying students from those elementary school attendance areas having over 50% minority group student enrollment to the high schools according to predetermined ratios which will divide the most numerous minority group students equally between the high schools.

Opinion

> "The deployment schools proposal would, in our opinion, be held to be an invasion of constitutional rights because the ratio or quota involved is of necessity based on race, and because it assumes that people are entitled to enjoy their rights on a ratio or quota basis. The cases discussed in our analysis will show that the courts have consistently struck down ratio or quota plans based on race or color as violations of the Fourteenth Amendment to the United States Constitution."

Mr. Kennedy then presented his opinion on the Plan for Geographic and Controlled Open Districting as follows:

Plan of May 7, 1963

> "In our opinion, implementation of this plan would, like Recommendation 1 above, contravene the mandate of the equal protection clause of the Fourteenth Amendment. The constitutional flaw in this plan lies in the fact that attendance area boundary lines are drawn which are applicable to some students and not to others, differentiated on the basis of their race or color."

Alternative Plans

> "The basic concept in 'geographic and controlled open districting' is the establishment of attendance areas together with the establishment of 'open' areas in which the students are permitted, subject to certain controls relating to school capacities, to choose their school of attendance.

Complete Open Districting

> "One variation of this plan may be described as 'Complete Open Districting' wherein attendance areas are eliminated, making the entire school district a 'controlled open' area.

Selected Open Districting

"Another variation of this plan, which may be designated as 'Selected Open Districting', would involve an attendance area for each high school and one or more selected 'controlled open' areas.

Opinion

"In our opinion either of these alternative plans may be promulgated and implemented in ways which would not violate principles of constitutional law.

"With respect to Complete Open Districting, if the controls used by the school authorities are based upon such valid criteria as capacity of schools, proximity of pupils to school facilities, and transportation routes, we think the courts should uphold such a plan.

"With respect to Selected Open Districting, we think a plan of this nature may be promulgated which the courts should uphold. To be valid, both the attendance areas and the selected 'controlled open' areas must be established on reasonable and rational bases, and, again, the controls used must be based upon valid criteria as set forth above."

Dr. Jenkins stated that the County Counsel then summarized many court cases, including some reviewed in the United States Supreme Court, and read the conclusions set forth by the various courts.

Dr. Jenkins then commented that Harold W. Kennedy, County Counsel, is a resident of Pasadena and is sensitive to the school district's desire to find the best answer for Pasadena City Schools and the community.

Dr. Jenkins said that he and Mr. Stivers are most grateful for the way Mr. Kennedy worked to find a legal solution and carefully studied other alternatives. The County Counsel studied not only the recommendation of the Citizens-Staff Advisory Committee on Districting, but all the various plans proposed, and submitted one opinion covering all plans. He added that this was the reason that it took so long to receive the opinion.

Dr. Jenkins noted that Mr. Kennedy's goal was to try to give this Board "running room" to achieve the kinds of results that it is felt will be to the best interest of the Pasadena schools and of the community. *Dr. Jenkins* said that he spoke with Mr. Kennedy on the telephone at least ten or fifteen times, and Mr. Stivers and he met with Mr. Kennedy's staff several times. At one point three key people from County Counsel's office worked in Dr. Jenkins' conference room for ten hours, looking at maps, figures and research material, in an effort to make sure that the Geographic and Controlled Open Districting, based on capacity, will work. Therefore, *Dr. Jenkins* said that he appreciated the work of the County Counsel in making it possible to find a legal answer to the high school districting problem.

Mr. Stivers joined with the Superintendent in commending the County Counsel for the time and effort spent in preparing this opinion. He noted that the Board and the Superintendent were very depressed when they first heard what appeared to be a totally negative opinion. However, along with the negative opinion was an invitation to explore other ways to accomplish the results which all know are so vital to the community. *Mr. Stivers* said that it was believed the road is now open, and asked Dr. Jenkins to present the plan included on the Supplemental Agenda.

Dr. Jenkins recalled that as of the previous Friday, rough figures on projected senior high school enrollments were sent to the Board members, and since that time they have been revised. He stated that the Department of Research had continued working right up until the Board meeting in an effort to refine the figures so that the plan will really achieve the results that are desired.

Dr. Jenkins then read the proposed plan for the implementation of "Geographic and Controlled Open Districting".

"The Superintendent recommends that the plan for 'Geographic and Controlled Open Districting' be implemented

for three high school zones on the following basis, effective September 1964:

1. The north-south line between Muir and Pasadena High Schools to remain the same to Mountain Avenue.
2. The new third high school district to include the following elementary areas now in Muir and Pasadena High Schools: Arroyo Seco, Garfield, Allendale, McKinley, Hamilton, Jefferson west of Sierra Bonita, and Madison and Lincoln south of Orange Grove Boulevard.
3. A 'Selected Open District' to include Washington, Cleveland, and Lincoln and Madison north of Orange Grove Boulevard, as an area in which all students would be permitted to attend any one of the three high schools on a first, second, and third choice basis, until the capacity of each school has been reached.
4. An established capacity for each high school annually, in order to attain sound distribution of students throughout the district.

"The Superintendent further recommends that the plan for 'Geographic and Controlled Open Districting' as approved by the Board of Education on May 14, 1963, be reaffirmed as the basic districting policy for senior high schools, effective September 1964, but that any further detailed implementation plans on a possible two-high school basis be deferred until after the bond election."

As *Dr. Jenkins* read the recommendation, Dr. Hanson pointed out the areas on the map. With regard to item 3 of the recommendation, pertaining to a "Selected Open District", *Dr. Jenkins* advised that County Counsel is of the opinion that this would be legal and would hold up in the courts. Under this plan students residing in this area would have an opportunity to choose which of the three high schools they might wish to attend. Students would indicate their first, second, and third choices. They would be assigned on the basis of geographic criteria, with those indicating first choice and living closest to the school being assigned to that school first. Those indicating first choice and living further away will be assigned next, etc. If all first choices for a school are exhausted, the second choices will be assigned.

Dr. Jenkins noted that item 4, regarding the annual establishment of capacities for the three high schools, is within the authority of the Board of Education, according to the County Counsel, in order to make the best use of capacities, and to assign teachers.

Dr. Jenkins pointed out that the school district now has a basic policy that will work. However, it has taken hours, days, and weeks to analyze the thousands of students distributed in the different parts of the City so that the results will be the way they should be in terms of the best use of facilities, and best ethnic distribution.

Dr. Jenkins commented that if the sad day should come that this policy must be implemented on a two-high school basis, the figures will be studied again.

Dr. Jenkins then called attention to a fact sheet, which was distributed to the Board and was available to the members of the audience, and which was similar to the fact sheet presented on May 7 in connection with the Controlled Open Districting Plan. This fact sheet includes projected senior high school enrollments for school years 1964-65, 1965-66, and 1966-67.

As of 1966-67, with three tenth grades assigned to the 3rd high school, Muir High School would have a total enrollment of 2423 students, with 18.6% being Negro; Pasadena High School would have a total of 3134 students, with 12.9% being Negro; and the third high school would have a total enrollment of 1403, with 17.8% Negro. In developing these figures, *Dr. Jenkins* stated that these are predictions of the estimated distribution under this plan.

Mr. Stivers thanked Dr. Jenkins and invited Board members to comment. Since many weeks had been spent in discussion of the districting plans, there were no further requests to speak at that time.

Motion

On Motion of Mr. Solision, seconded by Mr. Shatford, by unanimous vote of the five-member Board it was approved and made the action of the Board that the Superintendent's plan for "Geographic and Controlled Open Districting" be implemented for three high school zones on the following basis, effective September 1964:

1. The north-south line between Muir and Pasadena High Schools to remain the same to Mountain Avenue;
2. The new third high school district to include the following elementary areas now in Muir and Pasadena High Schools: Arroyo Seco, Garfield, Allendale, McKinley, Hamilton, Jefferson west of Sierra Bonita, and Madison and Lincoln south of Orange Grove Boulevard;
3. A "Selected Open District" to include Washington, Cleveland, and Lincoln and Madison north of Orange Grove Boulevard, as an area in which all students would be permitted to attend any one of the three high schools on a first, second, and third choice basis, until the capacity of each school has been reached;
4. An established capacity for each high school, annually, in order to attain sound distribution of students through the district;

that the plan for "Geographic and Controlled Open Districting", as approved by the Board of Education on May 14, 1963, be reaffirmed as the basic districting policy for senior high schools, effective September 1964, but that any further detailed implementation plans on a possible two-high school basis be deferred until after the bond election; and that the recommendation be accepted with a word of thanks to the County Counsel for the difficult task given him and Mr. Stivers, to Dr. Jenkins, and Dr. Hanson for the long hours spent in trying to solve this difficult problem.

Mr. Shatford stated that he was extremely pleased with the action taken that day and that he was proud of the Board and

Dr. Jenkins. In taking this action, he felt that Pasadena had taken action that was most commendable, instead of waiting for such incidents as experienced in Alabama. He expressed the hope that with the leadership displayed, the members of the community will pitch in and make this plan work. If all have a spirit of good will toward this plan, Pasadena can have a situation that will be an example to the nation.

With regard to the County Counsel's opinion, *Mr. Shatford* called attention to a statement he had prepared which he read as follows:

> "Before replying to the opinion, I want to praise County Counsel for the courtesy and cooperation extended to Pasadena's Superintendent of Schools. Although County Counsel came to what I regard to be arroneous conclusions, he and his staff did work patiently with the Superintendent so that the Superintendent could present a solution which has much to commend it. As a general rule I have found County Counsel's office to be composed of hard-working, well-informed public servants."

Dr. Freeman stated that all appreciate the work that had been done in developing the districting plan, and said that the fine work that laid the basis for this plan, which was done by the Citizens-Staff Advisory Committee on Districting, should not be forgotten as the Committee worked very hard. The Committee did the basic work, and *Dr. Freeman* said that he was sure that both Dr. Jenkins and Dr. Hanson would agree. Therefore, the members of the Committee, too, should be congratulated. *Dr. Freeman* said that he felt this was a great day for Pasadena.

Mrs. LaMotte said that she was also very pleased and happy with County Counsel's opinion, and reminded the Board that it was said about two or three weeks ago that the Controlled Open Districting Plan is one with which the community can live.

Dr. Jenkins added that the Board and staff had been working for weeks in line with the principles set up by the Citizens-Staff Advisory Committee.

Presentation of Year Books.

Since the students had arrived to present the year books, Mr. Shatford said that he would defer to them and continue his statement after the presentation.

Members of the Yearbook Staffs of John Muir High School, Pasadena High School, and Pasadena City College presented their respective yearbooks to members of the Board and staff. Copies of "artes", a student anthology and class record by students of Pasadena High School, were also presented.

Mr. Stivers thanked the students on behalf of the Board and staff, stating that their libraries were growing and that they have a long shelf of this material. He assured the students that the Board looks forward to and greatly appreciates receiving these yearbooks each year.

Recess.

As requested by members of the Board, the meeting was recessed from 4:07 to 4:20 p.m.

On reconvening, *Mr. Shatford* stated that he wanted it known that his criticism of County Counsel's conclusions pertained only to the opinion. Although he hated to disagree with County Counsel, he felt it important that some things be said about this opinion. *Mr. Shatford* then read the following statement:

> "Unless we are particularly obtuse, all of us are aware that one of the leading problems of the day is that of de facto segregation. The President of the United States spoke of it last Thursday. On the same day a group of community leaders met for several hours in Los Angeles and de facto segregation was one of the topics. You can scarcely pick up a newspaper or magazine and fail to find something about de facto segregation.
>
> "In looking at the problem of de facto segregation boards of education are met by two competing theories.

EXHIBIT 11-0(c).

Pasadena City Schools
Department of Research

December 1967

SENIOR HIGH SELECTED OPEN DISTRICT.

School	Total	Caucasian No.	Caucasian Percent	Negro No.	Negro Percent	Others No.	Others Percent
Grade 10							
Blair	91	8	8.8	70	76.9	13	14.3
Muir	71	7	9.9	50	70.4	14	19.7
Pasadena	144	23	16.0	106	73.6	15	10.4
Total	306	38	12.4	226	73.9	42	13.7
Grade 11							
Blair	62	9	14.5	47	75.8	6	9.7
Muir	100	11	11.0	77	77.0	12	12.0
Pasadena	116	11	9.5	89	76.7	16	13.8
Total	278	31	11.2	213	76.6	34	12.2
Grade 12							
Blair	87	13	14.9	62	71.3	12	13.8
Muir	116	9	7.8	89	76.7	18	15.5
Pasadena	82	9	11.0	57	69.5	16	19.5
Total	285	31	10.9	208	73.0	46	16.1
Total							
Blair	240	30	12.5	179	74.6	31	12.9
Muir	287	27	9.4	216	75.3	44	15.3
Pasadena	342	43	12.6	252	73.7	47	13.7
Total	869	100	11.5	647	74.5	122	14.0

EXHIBIT 11-0 (d)

SENIOR HIGH SCHOOL
TOTAL OPEN DISTRICT STUDENTS VOLUNTEERED, MANDATED OR ASSIGNED
1964-65, 1965-66 and 1966-67

School	1964-65 C	1964-65 N	1964-65 O		1965-66 C	1965-66 N	1965-66 O		1966-67 C	1966-67 N	1966-67 O		Total C	Total N	Total O	
BLAIR																
Volunteered[1]	6	38	3		5	67	8		6	55	5		17	160	16	
Mandated[2]	-	-	-		-	-	-		-	-	-		-	-	-	
Sub-Total	6	38	3	(47)	5	67	8	(80)	6	55	5	(66)	17	160	16	(193)
Assigned[3] by Secondary Div.	6	14	6		16	41	7		10	37	7		32	92	20	
TOTAL	12	52	9	(73)	21	108	15	(144)	16	92	12	(120)	49	252	36	(337)
WEIR																
Volunteered																
Sibling	9	17	15		7	23	7		2	22	3		18	67	25	
Proximity	5	19	6		4	31	7		1	28	5		10	98	18	
Mandated	-	-	-		-	-	-		-	-	-		-	-	-	
Sub-Total	14	36	21	(71)	11	54	14	(104)	3	50	8	(61)	28	165	43	(236)
Assigned by Secondary Div.	5	34	3		4	37	13		10[a]	52[a]	6[a]		19	123	22	
TOTAL	19	70	24	(113)	15	116	27	(158)	13	102	14	(129)	47	288	65	(400)
PHS																
Volunteered	17	116	3		14	49	19		12	67	9		43	232	36	
Original 1st Choice	(10)	(29)	(4)													
Campaign Volunteers[4]	(7)	(87)	(4)													
Mandated	8	12	6		4	22	3		9	53	8		21	87	19	
Sub-Total	25	128	14	(167)	18	71	24	(113)	21	120	17	(158)	64	319	55	(438)
Assigned by Secondary Div.	-	10	1		-	14	1		-	25	-		-	49	2	
TOTAL	25	138	15	(178)	18	85	25	(128)	21	145	17	(183)	64	368	57	(489)
GRAND TOTAL																
Volunteered	37	190	32		30	195	41		21	172	22		88	557	95	
Mandated	8	12	6		4	22	5		9	53	8		21	87	19	
Sub-Total	45	202	38	(285)	34	217	46	(297)	30	225	30	(285)	109	644	114	(867)
Assigned by Secondary Div.	11	58	10		20	92	21		20	134	13		51	284	44	
TOTAL	56	260	48	(364)	54	309	67	(430)	50	339	43	(432)	160	908	158	(1226)

BEST COPY AVAILABLE

OPEN DISTRICT STUDENTS VOLUNTEERED, MANDATED OR ASSIGNED (continued)

School	1967-68 C	N	O	
BLAIR				
Volunteered[1]	4	31	5	
Mandated[2]	5	37	3	
Sub-Total	9	68	8	(85)
Assigned[3] by Secondary Div.	11	46	12	
TOTAL	20	114	20	(154)
MUIR				
Volunteered	4	24	8	
Sibling	-	-	-	
Proximity	-	-	-	
Mandated	4	24	8	(36)
Sub-Total	17*	62*	9*	
Assigned by Secondary Div.	21	86	17	(124)
TOTAL				
PHS				
Volunteered	22	69	10	
Mandated	6	49	11	
Sub-Total	28	118	21	(167)
Assigned by Secondary Div.	2	17	2	
TOTAL	30	135	23	(188)
GRAND TOTAL				
Volunteered	30	124	23	
Mandated	11	86	14	
Sub-Total	41	210	37	(288)
Assigned by Secondary Div.	30	125	23	
TOTAL	71	335	60	(466)

NOTE: The "No Show" students were not subtracted from the above figures.
See note of attached July 25, 1966 report.

FOOTNOTES:

1 Volunteered - Those who were given 1st choice at time of drawing

2 Mandated - Those who were requested to attend a school within the enrollment limits specified

a The number who "volunteered" originally for PHS in 1964 was smaller the first time that expression of choice was requested. The subsequent "campaign" raised the number to 141.

3 Assigned - Students new to the district who were requested to attend any one of the three high schools either to replace transfers or to maintain proportion of total enrollment at each school. Students were assigned by Secondary Division.

* Includes students living in Muir area who moved into the Selected Open District area and wished to complete the year at Muir (and 12th grade in case of second semester 11th grade students).

NOTE: A number of Selected Open District students at Continuation High School had to be reassigned to three high schools when many buildings at Continuation High School were closed for non-compliance with Field Act requirements.

Pasadena City Schools
Department of Research
July 25, 1966

SENIOR HIGH SCHOOL

TOTAL OPEN DISTRICT STUDENTS VOLUNTEERED, MANDATED OR ASSIGNED*

1964-65, 1965-66 and 1966-67

School		1964-65	1965-66	1966-67**	Total
Blair	Volunteered[1]	47	80	66	193
	Mandated[2]	0	0	0	0
	Assigned[3]	26	64	3	93
	***"No show"[4]	0	—3	0	—3
	Total	73	141	69	283
Muir	Volunteered	71	104	69	236
	Mandated	0	0	0	0
	Assigned	42	54	1	97
	***"No show"	0	—2	0	—2
	Total	113	156	62	331
PHS	Volunteered	167a	82	88	337
	Mandated	0	31	70	101
	Assigned	11	15	4	30
	***"No show"	—2	—5	—10	—17
	Total	176	123	152	451
Grand Total					
	Volunteered	285	266	215	766
	Mandated	0	31	70	101
	Assigned	79	133	8	220
	***"No show"	—2	—10	—10	—22
	Total	362	420	283	1,065

* *High school figures obtained from Mr. Norene.*

** As of July 6, 1966—See new figures (additional students assigned from July 6, 1966 through the school year 1966-67).

1. Volunteered—Those who were given *1st choice* at time of drawing.

a It will be remembered that the number who "volunteered" originally for PHS in 1964 was smaller the first time that *expression*

(Footnote continued on next page.)

Pasadena City Schools
Department of Research

October 8, 1965

Junior High Schools—Selected Open District
Students Attending John Marshall Junior High

	C	N	O	Total
Grade 7	5	30	5	40
Grade 8	6	12	1	19
Total	11	42	6	59

Senior High Schools—Selected Open District
10th Grade Students and Returning 11th Grade Students

	Grade 10				Grade 11				Total 10 and 11			
School	C	N	O	Total	C	N	O	Total	C	N	O	Total
Blair	12	66	10	88	3	39	8	50	15	105	18	188
Muir	11	90	17	118	14	55	24	93	25	145	41	211
PHS	13	63	18	94	12	104	12	128	25	167	30	222
Total	36	219	45	300	29	198	44	271	65	417	89	571

of choice was requested. The subsequent "campaign" raised the number to 167.

2. Mandated—Those who were requested to attend a school within the enrollment limits specified.

3. Assigned—Students new to the district who were requested to attend any one of the three high schools either to replace transfers or to maintain proportion of total enrollments at each school.

*** "No show"—Those (of Volunteered, Mandated or Assigned) who failed to register for any reason. Not included in subsequent report—We are certain that the number of "no show" students was greater for each year but there are no longer any records which may be checked for actual number or ethnic distribution. 6-26-68

Pasadena City Schools
Department of Research

November 3, 1966

Senior High Selected Open District

		Caucasian		Negro		Others	
School	Total	No.	Percent	No.	Percent	No.	Percent
Grade 10							
Blair	66	8	12.1	52	78.8	6	9.1
Muir	71	7	9.9	53	74.6	11	15.5
Pasadena	137	14	10.2	108	78.8	15	11.0
Total	274	29	10.6	213	77.7	32	11.7
Grade 11							
Blair	92	11	12.0	69	75.0	12	13.0
Muir	103	9	8.7	77	74.8	17	16.5
Pasadena	78	9	11.5	52	66.7	17	21.8
Total	273	29	10.6	198	72.5	46	16.9
Grade 12							
Blair	63	8	12.7	47	74.6	8	12.7
Muir	82	11	13.4	48	58.5	23	28.1
Pasadena	115	12	10.4	93	80.9	10	8.7
Total	260	31	11.9	188	72.3	41	15.8
Total							
Blair	221	27	12.2	168	76.0	26	11.8
Muir	256	27	10.6	178	69.5	51	19.9
Pasadena	330	35	10.6	253	76.7	42	12.7
Total	807	89	11.0	599	74.2	119	14.8

Pasadena City Schools
Department of Research

December 1967

SENIOR HIGH SELECTED OPEN DISTRICT

School	Total	Caucasian No.	Caucasian Percent	Negro No.	Negro Percent	Others No.	Others Percent
Grade 10							
Blair	91	8	8.8	70	76.9	13	14.3
Muir	71	7	9.9	50	70.4	14	19.7
Pasadena	144	23	16.0	106	73.6	15	10.4
Total	306	38	12.4	226	73.9	42	13.7
Grade 11							
Blair	62	9	14.5	47	75.8	6	9.7
Muir	100	11	11.0	77	77.0	12	12.0
Pasadena	116	11	9.5	89	76.7	16	13.8
Total	278	31	11.2	213	76.6	34	12.2
Grade 12							
Blair	87	13	14.9	62	71.3	12	13.8
Muir	116	9	7.8	89	76.7	18	15.5
Pasadena	82	9	11.0	57	69.5	16	19.5
Total	285	31	10.9	208	73.0	46	16.1
Total							
Blair	240	30	12.5	179	74.6	31	12.9
Muir	287	27	9.4	216	75.3	44	15.3
Pasadena	342	43	12.6	252	73.7	47	13.7
Total	869	100	11.5	647	74.5	122	14.0

EXHIBIT 11-O(e).

Minutes of Regular Meeting — Page No.
June 15, 1965 - No. 57 — 15,514

Miss McFarland stated that she had just received a report from Dr. Joseph T. Hanson, Administrative Director for Research, stating that the number of volunteers from Washington had increased to 25, and the total participating had increased to 128. Of the 25 from Washington, 17 are new volunteers and 8 are renewals.

Dr. Jenkins commented that the totals are changing day by day, and said that he would make further progress reports as they are received.

Dr. Jenkins then recommended that the following amendment be adopted for the continued implementation of the Geographic and Controlled Open Districting at the elementary level:

> "A school which was previously a receiving school in the Geographic and Controlled Open Districting, but which is no longer a receiving school, may make the exception to accept a sibling if an older brother and/or sister is enrolled in the school under this districting plan. This exception can be made only if seats are available at the appropriate grade level, and only in the event the sibling was not eligible to attend the school when it was a receiving school."

Mr. Shatford questioned whether a student would be compelled to continue at a receiving school if the move did not prove satisfactory. While he agreed that a student should not be permitted to go to one receiving school one year and another receiving school the next, he should be permitted to return to his home school.

It was generally agreed by the Board that a student should have the option to transfer back to his home school when such an adjustment seems to be advisable.

Motion.

On Motion of Dr. Freeman, seconded by Mr. Stivers, by unanimous vote of the five-member Board, the Superintendent's recommendation, that a school which was previously a receiving school in the Geographic and Controlled Open Districting, but which is no longer a receiving school, may make the exception to accept a sibling if an older brother and/or sister is enrolled in the school under this districting plan, but only if seats are available at the appropriate grade level, and only in the event the sibling was not eligible to attend the school when it was a receiving school, was approved and made the action of the Board.

Junior High School Districting.

Dr. Jenkins noted that the Board would continue its review of the recommendation on Junior High School districting which he submitted to the Board on May 25, 1965, and recalled that the Board had asked to hold this item until Mr. Stivers returned from out of town.

Dr. Jenkins then recommended that the Board-adopted principle of Geographic and Controlled Open Districting be implemented at the junior high school level for 7th and 8th grade students residing in the High School Selected Open District Area within the Washington Junior High School zone, with Washington Junior High School as the sending school for students who may wish to volunteer to attend Marshall Junior High School, the receiving school; the number of students is not to exceed 30

at the 7th-grade level and 30 at the 8th-grade level during the 1965-66 school year; and transportation is to be provided by the student unless room is available on an existing bus route.

Dr. Jenkins noted that the possibility of cooperating with the Pasadena City Lines to supply transportation for these students had been studied. Dr. Egly has conferred with Mr. Campbell, who assured Dr. Egly that the Pasadena City Lines would be pleased to work with the school district to provide extra buses on Washington, which could drop the students off at Allen and then go on to Pasadena High School to drop off the high school students.

Dr. Jenkins then called attention to a communication he had just received from Byron Caldwell, President of the Pasadena Branch, N.A.A.C.P., in which it was stated that the N.A.A.C.P. believes it a duty of the Board to provide the pupils with education under adequate, uncrowded conditions; and to transport pupils, when need be, to the places where this commodity can be had. It also expressed the opinion that plans for pupil transfer, such as Plan VI, can be made to work only if the Board furnishes the transportation that will relieve the overcrowded condition of both the pupils transferred and the pupils who remain in their neighborhood schools. Therefore, he urged the Board to provide transportation to the 60 students transferring from Washington to Marshall.

Dr. Jenkins stated that he had received a couple of telephone calls that day about the capacity of Washington Junior High School as compared to "overcrowded" conditions at Eliot. While statistically this may seem to be the case, Washington has a number of special programs requiring smaller classes and, as a consequence, more classrooms. However, the only available space is at Marshall Junior High School until a new junior high school can be built.

Mr. Shatford asked Dr. Jenkins if it was his intent that bus tickets for the Pasadena City Lines would be furnished to students needing transportation to Marshall, or whether it would

simply be a question of making this service available and asking the parents to pay for the transportation.

Dr. Jenkins replied that it would cost approximately $36 per pupil per year for student books on the Pasadena City Lines as compared with the present cost per pupil of $65 to $69 per year. Therefore, it could be handled either way.

Mr. Shatford again stated that if given the inducement of transportation, there would be a better chance of getting volunteers. Therefore, he would like to see this recommendation include a provision that transportation would be furnished by the school district or through bus tickets.

Dr. Egly stated that he expected to have a letter from the Pasadena City Lines before the first of July as to whether they will work with the school district to provide transportation on Washington Boulevard.

Dr. Freeman commented that, at $36 per pupil, it would only cost about $2,160 for the 60 pupils, and he would be in favor of providing bus tickets.

Mrs. LaMotte recalled that a few weeks previously she had said she would favor providing transportation if it would relieve overcrowded schools. She felt that the suggestion to use the Pasadena City Lines was a good one because it would be cheaper than the present transportation cost. Therefore, she would be willing to provide transportation, until a bond issue can be passed, to students who transfer from overcrowded schools.

Mr. Salisian said he felt that if transportation is provided in this instance, it should be provided at all levels. Therefore, he would not favor providing transportation if students transfer on a voluntary basis. If they were forced to transfer it would be a different situation and he would then be in favor of providing transportation.

Mr. Stivers reminded the Board that it must not forget that its job is to provide the best education possible for all students

within the district, and, as far as he was concerned, he always believed very strongly that this should be done without regard to race, creed or color.

Mr. Stivers then asked, if the city bus line would continue on to the high school, whether this might possibly provide for a reduction in the total transportation costs for the high school.

Dr. Jenkins said that, according to guesstimates, this would probably save several thousand dollars, where shuttle buses are operated. However, the district must wait for a decision from the Pasadena City Lines.

Mr. Salisian stated that if it is possible to save money on transportation for the high schools, this should not be used as an excuse to spend it for the junior high schools. The school district needs money and is looking for ways to save additional dollars in the budget. In his opinion, education comes first, and if it is necessary to change the transportation policy, then the Superintendent should study the whole transportation program.

Mr. Shatford pointed out that the use of the Pasadena City Lines from Washington to Marshall might have some bearing on whether this route is continued. If it is not, it would cost the district double the amount to transport high school students using this bus.

Mr. Stivers remarked that the Board would be defeating its purpose in trying to do the best job that it can if it should attempt to make a city-wide policy as a result of this proposal, and added that each concern along this line will have to be determined on its own merits, without relation to any other situation. What the Board of Education was discussing was a choice between providing two classrooms at Washington to take care of these 60 pupils, or moving two classes to another school that is not too far away. In weighing the cost of these two alternatives, the cost to transport these students would be about 1/30 of the cost to build two classrooms.

Mr. Stivers stated that, regardless of what is done about providing transportation from Washington to Marshall, steps should be taken immediately to meet with the Pasadena City Lines to work out plans for a high school shuttle bus service if, in fact, the savings would be as much as they appear to be.

Mr. Laven Lanier, 380 Dearborn Street, Pasadena, said that the parents she had talked with regarding the junior high school open districting have indicated that they would be extremely interested in having their children transfer to Marshall if transportation is provided. She feels that public transportation for students at the 7th and 8th grade level is safe and it would be inexpensive for the school district.

Recess.

The meeting was recessed from 4:15 to 4:27 p.m.

On reconvening, *Mr. Salisian* asked that the transportation issue be voted on separately.

Motion.

On motion of Dr. Freeman, seconded by Mr. Salisian, by unanimous vote of the five-member Board, the Superintendent's recommendation that the Board-adopted principle of Geographic and Controlled Open Districting be implemented at the junior high school level for 7th and 8th grade students residing in the High School Selected Open District area within the Washington Junior High School zone, with Washington Junior High School as the sending school for students who may wish to volunteer to attend Marshall Junior High School, the receiving school; the number of students is not to exceed 30 at the 7th-grade level and 30 at the 8th-grade level during the 1965-66 school year, was approved and made the action of the Board.

Motion.

Dr. Freeman Moved and Mr. Stivers Seconded the motion, that transportation for the 7th and 8th grade students residing in the High School Selected Open District area which lies within the

Washington Junior High School zone be provided by the school district by means of a shuttle-bus service utilizing the Pasadena City Lines, unless room is available on an existing school bus.

Mr. Salisian asked the Board what it would do in the event that the Pasadena City Lines should decide, after a few months, to discontinue this route. He stated that he would not like to promise transportation to the students and then have to tell them later that transportation is not available.

Mr. Stivers said that he felt that the motion just made was a very important part of the action being taken that day because it would not only be helping to relieve Washington, but it would also control the cost.

Mrs. LaMotte agreed, and stated that this is a unique situation because there is already transportation provided on Washington Boulevard. There is no public transportation between Eliot and Wilson, so that would be a different situation.

It was the consensus of the Board that, if the Pasadena City Lines should discontinue the service, the students should be permitted to transfer back to Washington, if the Board feels at that time that it cannot afford to provide a shuttle bus as part of its regular transportation program.

Question.

Mrs. LaMotte then called for the question, and, by vote of 4 to 1, with Mr. Salisian voting "NAY", the motion was approved and made the action of the Board.

Washington Elementary School.

Dr. Jenkins recalled that the possibility of using the former Child Care room at Washington Elementary School was raised a few weeks previously when he had reported on ways in which elementary schools could be utilized throughout the district in order to avoid double sessions. The use of this room was also questioned in a letter at the last meeting by the N. A. A. C. P.

Dr. Jenkins noted that the Board members have seen this room, which is a lower-level room with windows and an exit; and it was used for years by the Child Care program. However, it may be possible that enough students will be transferring to receiving schools between now and the end of the month so that it will not be necessary to use this room.

Dr. Jenkins stated that he had also suggested at the last meeting the possibility of a districting change between Lincoln and Cleveland, whereby more students could be assigned to Cleveland, which has the additional room and some of the finest elementary facilities in the school district. Although this is not as urgent a problem as the one at Washington Junior High School, he would need Board guidance. He added, however, that this problem might be resolved by the open districting plan before the end of the month.

Mrs. LaMotte said that she was astonished at all the furor raised over the use of this room. While it may be substandard, it is perhaps better than a lot of bungalows that are being used elsewhere. Therefore, she had no concern about using this room for a regular classroom.

Mr. Shetford commented that with two schools (Lincoln and Washington) having enrollments over a thousand, it would be advisable to reduce enrollments by giving students and parents every encouragement to participate in this voluntary plan, and he would be in favor of providing transportation to the receiving schools.

EXHIBIT 11-O(f)

Pasadena Unified School District
Office of the Superintendent of Schools

Pasadena, California
June 15, 1965

GEOGRAPHIC AND CONTROLLED OPEN DISTRICTING
INFORMATION SHEET

FOR PRESENT SIXTH AND SEVENTH GRADE STUDENTS

On June 15, 1965, the Pasadena Board of Education approved the Superintendent's recommendation that the Board approved principle of Geographic and Controlled Open Districting be implemented at the junior high school level for present sixth and seventh grade students.

The policy is stated in the Board Minutes as follows:

> "The Superintendent recommends that the Board adopted principle of Geographic and Controlled Open Districting be implemented at the junior high school level for seventh and eighth grade students residing in the High School Selected Open District are within the Washington Junior High School zone, with Washington Junior High School as the sending school for students who may wish to volunteer to attend Marshall Junior High School, the receiving school. The number of students is not to exceed 30 at the seventh grade level during the 1965-66 school year.
>
> "It was approved and made action of the Board that transportation for the seventh and eighth grade students residing in the High School Selected Open District area within the Washington Junior High School zone be provided by the school district by means of a shuttle-bus service utilizing the Pasadena City Lines, unless room is available on an existing school bus."

Procedures for implementation of this policy have been established as follows:

1. Parents of present sixth grade and seventh grade students residing in the High School Selected Open District area within the Washington Junior High School zone, who wish to enroll their son/daughter at Marshall Junior High School, must complete the attached form at the earliest possible date and mail it or bring to:

   Mr. George W. Norene
   Assistant Superintendent for Secondary Schools
   351 South Hudson Avenue, Pasadena, Tel. No.: 795-6981

2. Students who wish to enroll at Marshall Junior High School should plan to attend that school for the remainder of their junior high school years (7th, 8th, and 9th grade for present sixth grade students; 8th and 9th grade for present seventh grade students), unless the parents move to another junior high school zone.

3. Assignments to Marshall Junior High School will be made in accordance with the order of applications received prior to June 30.

Further information may be obtained from the office of the Assistant Superintendent for Secondary Schools, 351 South Hudson Ave., Pasadena, Tel. No.: 795-6981.

EXHIBIT 11-U(a)

MINUTES OF THE SPECIAL MEETING
PASADENA CITY BOARD OF EDUCATION
UNIFIED AND JUNIOR COLLEGE DISTRICTS

THURSDAY, MAY 4, 1967

Meeting No. 59 — Page No. 16,624

The Pasadena City Board of Education, acting as the Governing Board of the Pasadena Unified School District and the Pasadena City Junior College District, met in Special Session on Thursday, May 4, 1967, at its regular place of meeting 351 South Hudson Avenue, Pasadena, California.

The President called the meeting to order at 3:43 p.m.

The following members were present:

Mr. James N. Stivers, Jr., President
Dr. Joseph J. Engholm
Dr. Robert G. Freeman
Mrs. LuVerne LaMotte
Mr. Steven Salisian

The following administrative officers were present:

Dr. Paul B. Salmon, Superintendent of Schools; Secretary to the Board of Education; Miss Grace M. McFarland, Assistant Superintendent for Elementary Schools; Mr. George W. Norene, Assistant Superintendent for Secondary Schools; Mrs. Louise C. Tingey, Administrative Assistant to the Superintendent.

Board Report.

The following report attached hereto and made a part hereof, as if fully set forth herein, was presented by the Superintendent and action thereon was taken as indicated:

20-H.

Subject: Amendment to Board Report 19-H, dated April 25, 1967—Instructional Trip.

Motion.

On Motion of Dr. Freeman, seconded by Dr. Engholm, by unanimous vote of the five-member Board, Board Report Number 20-H was approved as recommended by the Superintendent and made the action of the Board.

High School Districting.

The Superintendent stated that he would begin immediately to devise the procedure for the development of the long-range program. In the meantime, he hoped that a decision would be reached so that the staff could proceed with the scheduling of students for next year.

Mr. Stivers opened the meeting for discussion from the floor There were no requests to be heard.

The Board members then indicated their preferences with regard to the proposed plans.

Motion.

Dr. Engholm Moved that Plan A be adopted for the interim period during the development of the long-range program. The motion was seconded by Mrs. LaMotte.

After some further discussion, the President called for the question. The Motion was approved by vote of 4 to 1, and it was made the action of the Board. (Mr. Salisian cast the dissenting vote.)

The Superintendent stated that he would have a report on the additional transportation cost to implement Plan A. However, he pointed out that other factors would probably offset the additional cost, thereby cutting down the net increase. He also reported on the proposed sibling policy which would be presented formally at the next Board meeting.

Audience Discussion.

Mr. Stivers opened the meeting for discussion from the floor.

Mr. Stephen E. Ellerbe, 2459 Morslay Road, Altadena, stated that he was disappointed with the Board's action and said that its legality would be tested to determine if any laws had been violated.

Adjournment.

There being no further business to come before the Board, the meeting was adjourned at 4:35 p.m.

/s/ PAUL B. SALMON,
Paul B. Salmon,
Secretary to the Board of Education

MR. JAMES N. STIVERS, JR.,
President of the Board of Education

Pasadena City Schools
Department of Research

May 4, 1967

Explanation for Revised Figures in Board Directed Plan A

The total number of junior high students in the Noyes Elementary area is 188. Included in the proposed transfer to Muir were 7 students already assigned to Muir on the basis of present boundaries. Actually only 181 additional students from the Noyes area should have been transferred to Muir under Board Directed Plan A. The difference of 7 students is accounted for by the fact that the Noyes Elementary boundary and Muir-PHS boundary do not coincide in the northwest corner of the Noyes Elementary area. Consequently, 7 junior high students in the Noyes area already assigned to Muir were counted as though they were junior high school students who would be transferred to Muir.

The Burbank Elementary area within the Eliot Junior High area has 222 junior high students. Under present senior high districting, 41 of these students are already assigned to Muir leaving a balance of 181 students in this area of proposed transfer. The difference of 41 students is accounted for by the fact that the Burbank Elementary boundary between Calaveras and New York Drive does not coincide with the Muir-PHS boundary. The west boundary for Burbank Elementary between Calaveras and New York Drive is on Mar Vista while the high school boundary is on Hill. As a result, 41 junior high school students in the Burbank Elementary area, already in the Muir High School area, were included erroneously among the number of junior high school students in the Burbank area suggested for transfer.

The corrected figures (number of junior high students) in the areas suggested for transfer by Board Directed Plan A are as follows:

Noyes		181
Burbank	Portion in Eliot	181
Burbank	Portion in Marshall	90
	Total	452

The figures for Plan III area correct as originally reported. The corrected figures for Muir and PHS area given on the attached *Plan A With Corrected Figures.* There is no change for Blair.

BOARD DIRECTED PLAN A

With CORRECTED Figures for Muir and PHS

May 4, 1967

Present Selected and Controlled Open District area unchanged.

Present zones to remain the same with the following amendments:

All of Noyes Elementary area to Muir
All of Burbank Elementary area to Muir

Students from the Selected and Controlled Open District area would, according to present policy, complete choice cards and would be given choice indicated until enrollment limit of school selected was reached. Assignments then would be made on a "mandated" basis according to school plant enrollment limits at one of the other two high schools.

Enrollment limits were determined by the Committee.

High School	Total Enrollment	Caucasian		Negro		Others	
		No.	Percent	No.	Percent	No.	Percent
Blair Area	1,376	924	67.2	190	13.8	262	19.0
From Open District	124	13		95		16	
Total	1,500	937	62.5	285	19.0	278	18.5
Muir Area	2,543	1,688	66.4	598	23.5	257	10.1
From Open District	20	2		15		3	
Total	2,563	1,690	65.9	613	23.9	260	10.2
PHS Area	2,452	2,317	94.5	9	0.4	126	5.1
From Open District	748	82		575		91	
Total	3,200	2,399	75.0	584	18.2	217	6.8
Total	7,263	5,026	69.2	1,482	20.4	755	10.4

BOARD DIRECTED PLAN B

May 2, 1967

Present Selected and Controlled Open District area unchanged.

Present zones to remain the same with the following amendments:

Move the present western boundary line of Pasadena High School eastward as follows: from a projected line north of the intersection of Loma Alta Drive and Pine Crest Drive southwesterly on Pine Crest Drive to the center line of N. Allen Avenue and continue southerly on the center line of N. Allen Avenue to E. Mountain Street. Continue on the present southwestern boundary line of Pasadena High School.

Extend Blair High School's northern boundary line on E. Mountain Street from N. Sierra Bonita Avenue to N. Allen Avenue.

Students from the Selected and Controlled Open District area would, according to present policy, complete choice cards and would be given choice indicated until enrollment limit of schools selected was reached. Assignments then would be made on a "mandated" basis according to school plant enrollment limits at one of the other two high schools.

High School	Total Enrollment	Caucasian No.	Caucasian Percent	Negro No.	Negro Percent	Others No.	Others Percent
Blair Area	1,447	993	68.6	188	13.0	266	18.4
From Open District	53	6		41		6	
Total	1,500*	999	66.6	229	15.3	272	18.1
Muir Area	2,462	1,595	64.8	602	24.4	265	10.8
From Open District	101	11		77		13	
Total	2,563*	1,606	62.7	679	26.5	278	10.8
PHS Area	2,462	2,341	95.1	7	0.3	114	4.6
From Open District	738	80		567		91	
Total	3,200*	2,421	75.7	574	17.9	205	6.4
Total	7,263	5,026	69.2	1,482	20.4	755	10.4

* Enrollment limits indicated above were determined by the Committee.

EXHIBIT 15.

MINUTES OF THE REGULAR MEETING
PASADENA CITY BOARD OF EDUCATION
PASADENA UNIFIED SCHOOL DISTRICT

Tuesday, March 19, 1968

Meeting No. 53 — Page No. 16,910

The Pasadena City Board of Education, acting as the Governing Board of the Pasadena Unified School District, met in Regular Session on Tuesday, March 19, 1968, at its regular place of meeting, 351 South Hudson Avenue, Pasadena, California.

The President called the meeting to order at 3:00 p.m.

The following members were present: Mr. Steve Salisian, President; Dr. Joseph J. Engholm, Vice President; Mr. Bradford C. Houser; Mrs. LuVerne LaMotte; Mr. John T. Welsh (arrived at 3:15 p.m.)

* * * * *

Interim Policy for Incoming Open District Students.

It was the consensus of the Board that, during the interim period until a permanent attendance policy for Open District students has been developed and approved, the Superintendent assign all incoming Negro students residing in the Open District area to Pasadena High School and all other incoming students residing in the Open District to Muir High School.

EXHIBIT 16

BEST COPY AVAILABLE

EXHIBIT 16

PASADENA CITY SCHOOLS
Department of Research
October 12, 1966

ELEMENTARY SELECTED OPEN DISTRICT

Receiving Schools	Total	Number of Pupils 1966-67 C	N	O	1964-65 Requests Renewed for 1966-67 C	N	O	1965-66 Requests Renewed for 1966-67 C	N	O	New in 1966-67 C	N	O	Sending Schools
Audubon	1	1	-	-	1	-	-	-	-	-	-	-	-	Franklin
Burbank	8	-	3	-	-	5	-	-	1	-	-	2*	-	Cleveland
Cleveland	16	-	3	-	-	-	-	-	2	-	-	1*	-	Lincoln
		-	13	-	-	-	-	-	11	-	-	2*	-	Washington
Don Benito	3	-	3	-	-	-	-	-	3	-	-	-	-	Washington
Field	4	1	1	-	-	-	-	-	-	-	1	1	-	Franklin
		-	2	-	-	-	-	-	-	-	-	2	-	Washington
Garfield	17	-	11	6	-	2	2	-	2	4	-	7	-	Lincoln
Hale	5	-	-	1	-	-	-	-	-	-	-	-	1	Jackson
		-	4	-	-	-	-	-	-	-	-	4	-	Washington
McKinley	12	-	-	1	-	-	-	-	-	-	-	-	1	Cleveland
		-	-	4	-	-	3	-	-	-	-	-	1*	Garfield
		-	2	-	-	2	-	-	-	-	-	-	-	Lincoln
		-	-	1	-	-	1	-	-	-	-	-	-	Madison
		3	-	-	-	-	-	-	-	-	3	-	-	Madison
		-	1	-	-	1	-	-	-	-	-	-	-	Washington
Webster	24	1	4	-	1	2	-	-	2	-	-	-	-	Cleveland
		-	3	-	-	2	-	-	-	-	-	1*	-	Jackson
		-	2	-	-	-	-	-	2	-	-	-	-	Lincoln
		1	-	-	-	-	-	1	-	-	-	-	-	Madison
		1	11	1	1	6	-	-	5	1	-	-	-	Washington
Total	90	3	68	14	3	20	6	1	28	5	4	20	3	

* Sibling relationship. Permit granted because a permit had been granted previously to older brother or sister.

194

Pasadena City Schools
Department of Research

December 1967

ELEMENTARY SELECTED OPEN DISTRICT

Receiving Schools	C	N	O	Total
Audubon	1	—	—	1
Burbank	—	9	—	9
Cleveland	—	12	—	12
Don Benito	—	3	—	3
Field	—	2	—	2
Garfield	—	2	—	2
Hale	—	3	2	5
McKinley	—	1	5	6
Webster	4	17	1	22
Total	5	49	8	62

The above is a summary at the beginning of the 1967-68 school year, the fourth year of Elementary Transfers under Plan VI.

On account of double sessions and utilization of all available spaces in all schools during the 1967-68 school year, there were no spaces available for any new transfers except siblings of pupils previously transferred.

EXHIBIT 35.

Pasadena Unified School District,
Division of Elementary Schools,
351 South Hudson Avenue,
Pasadena, California 91109,

June 19, 1969.

On July 30, 1968, the Pasadena Board of Education approved a policy to further improve the ethnic distribution in our schools. The policy is as follows:

Open Transfer Policy:

"Any student in the elementary, junior, or senior high school of the district may transfer from his home school to any other school in the district under the following conditions:

"a. That he will provide for his own transportation.

"b. That there is an available space open at the receiving school.

"c. That the ethnic balance will be improved in both the sending and receiving schools by the transfer.

"This policy replaces and supersedes other existing policies provided for volunteer transfer of students within the district with the the exception of voluntary participation in the Lincoln Magnet School Project."

On the basis of predicted enrollment, it has been determined that the following schools will have room(s) available in September, 1969.

School	Address	City
Cleveland	524 Palisade Street	Pasadena
Don Benito	3700 Denair Street	Pasadena
Field	3600 Sierra Madre Blvd.	Pasadena
Willard	301 S. Madre Street	Pasadena

Parents interested in registering their children in any of the schools listed above may apply for a transfer at their local school until June 30, from 8:00 a.m. until 4:30 p.m. However, during the summer months, applications will be accepted at the Education Center, Permit Office, Room 225.

If you have any questions, please call the Division of Elementary Schools, 795-6981.

No Application for Open District Transfer Will Be Accepted After October 1, 1969.

EXHIBIT 42(b).

Pasadena Unified School District,
Division of Elementary Schools,
351 South Hudson,
Pasadena, California 91109.

INTRA-DISTRICT ANNUAL REPORT 1968-1969.

Open Transfer Permits 2

Lincoln Magnet School Permits 9

EXHIBIT 68(e).

IIB
2c.

October 8, 1965—Department of Records.

JR. HIGH SCHOOLS-SELECTED OPEN DISTRICT,
STUDENTS ATTENDING MARSHALL JR. HIGH.

	C	N	O	Total
Grade 7	5	30	5	40
Grade 8	6	12	1	19
Total	11	42	6	59
	19%	71%	10%	

Pasadena City Schools
Department of Research

November 2, 1966

JUNIOR HIGH SELECTED OPEN DISTRICT
WASHINGTON TO MARSHALL 1966-67

	C	N	O	Total
Grade 7				
Selected Open District	9	20	2	31
Plan VI*	2	3	—	5
Sub-total	11	23	2	36
	30%			
Grade 8				
Selected Open District	8	17	4	29
Plan VI*	1	4	—	5
Sub-total	9	21	4	34
Grade 9				
Selected Open District	9	8	—	17
Total				
Selected Open District	26	45	6	77
Plan VI*	3	7	—	10
Total	29	52	6	87
	33%	60%	7%	

* Elementary pupils who attended an elementary school within the Marshall Junior High area who are permitted by policy to attend Marshall Junior High.

Pasadena City Schools
Department of Research

December 1967

JUNIOR HIGH SELECTED OPEN DISTRICT
WASHINGTON TO MARSHALL 1967-68

	C	N	O	Total
Grade 7				
Selected Open District	6	12	2	20
Plan VI*	1	3	—	4
Sub-total	7	15	2	24
Grade 8				
Selected Open District	7	19	2	28
Plan VI*	2	3	—	5
Sub-total	9	22	2	33
Grade 9				
Selected Open District	5	14	3	22
Plan VI*	1	4	—	5
Sub-total	6	18	3	27
Total				
Selected Open District	18	45	7	70
Plan VI*	4	10	—	14
Total	22	55	7	84
	26%	65%	9%	

* Elementary pupils who attended an elementary school within the Marshall Junionr High area who are permitted by policy to attend Marshall Junior High.

EXHIBIT 68E(c).

Pasadena, California,
Pasadena Unified School District,
Office of the Superintendent of Schools,

June 11, 1964.

GEOGRAPHIC AND CONTROLLED OPEN DISTRICTING.

Information Sheet.

For the 1964-65 School Year Only—See Note on back side.

On May 12, 1964, the Pasadena Board of Education approved the Superintendent's recommendation that a Plan for Elementary Districting and Intergroup Education be approved. Section A., Points 1. and 2. of Plan VI reads as follows:

"1. All elementary children living within any of the present elementary districts would be assured a seat in the school serving that district area.

2. Parents in designated elementary schools would be permitted to register their children in any school where there are empty classrooms or empty seats, with transportation provided on any of the existing bus routes, if there is room on the bus; otherwise, transportation would be provided by the parents. Tentatively, the elementary schools designated for this option possibility would be in the more densely populated area which would include Franklin, Jackson, Washington, Cleveland, Lincoln, Madison, and Garfield. Options could also be permitted for children to transfer from any of the other schools to the schools in the Selected Open District designated area if there were seats available following the options that were first taken by parents in any one of the seven schools in the more densely populated area."

Rooms Available for Elementary School Transfer.

Parents interested in registering their children in any of the schools listed on the next page may apply any time between June 17 and June 30, 1964, providing they reside in the Cleveland, Garfield, Franklin, Jackson, Lincoln, Madison, or Washington Elementary school zones, and providing that their children are in grades one through six.

Parents must apply for transfer at the school were the pupil wishes to attend.

NOTE: On the basis of End-of-First School Month enrollment estimates for the 1964-65 school year, the following elementary schools will have rooms available. Enrollment changes in the areas of specific schools may necessitate changes because some schools may no longer have rooms available while other schools may be added.

School	Address	City
Luther Burbank	2046 N. Allen Avenue	Altadena
Don Benito	3700 Denair Street	Pasadena
Eugene Field	3600 Sierra Madre Blvd.	Pasadena
Alexander Hamilton	2089 Rose Villa Street	Pasadena
William McKinley	330 South Oak Knoll Avenue	Pasadena
Sierra Mesa	160 N. Canon Avenue	Sierra Madre
Daniel Webster	2101 E. Washington Blvd.	Pasadena

Availability of Seats When Less Than One Room Is Available.

Because of population mobility within the school district, it is impossible at this time to estimate location of available seats on less than one classroom basis until the end of the second school week in September.

Information relative to seats available will be distributed to all parents residing in the Cleveland, Garfield, Franklin, Jackson, Lincoln, Madison, and Washington Elementary school zones during the third week of school, September 28-October 2, 1964.

Available seats will be determined on the basis of Board of Education Policy relative to pupil/teacher ratio.

1. The Policy or pupil/teacher ratio is 30 to 1 for each school.
2. Class maximum at any grade level will be held at 30 to 1 for determining availability of seats at any grade level.
3. In a combination-grade class, separation into single classes will be considered if an additional teacher and space are available at the school and requests for transfer from other schools seem to warrant opening of additional seats.

Determination of availability of seats will be made by the principal at each elementary school subject to review by the Assistant Superintendent for Elementary Schools.

Pasadena Unified School District,
Office of the Superintendent of Schools,
Pasadena, California,

May 26, 1965.

GEOGRAPHIC AND CONTROLLED OPEN DISTRICTING
INFORMATION SHEET.

On May 12, 1964, the Pasadena Board of Education approved the Superintendent's recommendation that a Plan for Elementary Districting and Intergroup Education be approved. Section A., Point 2 of Plan VI reads as follows:

> "2. Parents in designated elementary schools would be permitted to register their children in any school where there are empty classrooms or empty seats, with transportation provided on any of the existing bus routes if there is room on a bus; otherwise, transportation would be provided by the parents. Tentatively, the elementary schools designated for this option possibility would be in the more densely populated area which would include Franklin, Jackson, Washington, Cleveland, Lincoln, Madison, and Garfield. Options could also be permitted for children to transfer from any of the other schools to the schools in the Selected Open District designated area if there are seats available following the options that were first taken by parents in any one of the seven schools in the more densely populated area."

To implement the policy for the second year, the following procedure has been established:

1. *Present Open District Transfers:*

   Pupils who reside in the geographic and controlled open district who are now attending schools out-of-district must request a renewal of the present transfer permit.

   Parents Must Apply for Renewal Transfers at the School Where the Pupil Has Been Attending.

2. *Registration for New Open District Transfers:*

   Parents interested in registering their children in any of the schools listed on page two may apply for transfers any time up to and including June 11, ... providing they reside in the Cleveland, Franklin, Garfield, Jackson, Lincoln, Madison, or Washington school zones, and providing their children will be in grades one through six next year.

   No Permits Will Be Accepted After June 11
   No Permits Will Be Accepted in September.

All requests for transfer permits *must* be made before and including June 11.

Children who reside within or outside the Open District, providing they will be in grades one through six, may attend either Garfield or Cleveland School.
Parents Must Apply for Transfers at the School Where the Pupil Wishes to Attend.

Parents must agree to the following:

1. Transportation will be furnished only if there is room on existing school bus lines.
2. Pupils will be expected to remain through the sixth grade at the school to which a transfer is requested unless the parents move from the Open District school zones.

   Exception: If the enrollment within the district of a receiving school increases and seats are no longer available, it may become necessary to cancel transfer permits from the Open District. Cancellations would be made only at the close of a school year and prior notices would be given.
3. Emergency cards must be on file and up-to-date at all times.

On the basis of present enrollment and in accordance with the Board of Education policy relative to pupil/teacher ratio,

it has been determined that seats are available at the following schools:

Receiving Schools	Address
Cleveland	524 Palisade Street, Pasadena
Don Benito	3700 Denair Street, Pasadena
Field	3600 Sierra Madre Blvd., Pasadena
Garfield	540 So. Pasadena Avenue, Pasadena
Webster	2101 E. Washington Blvd., Pasadena

For further information, please call the office of the Assistant Superintendent for Elementary Schools, 795-6981.

GRACE M. MCFARLAND,
Assistant Superintendent,
for Elementary Schools.

Pasadena Unified School District
Office of the Superintendent of Schools
Pasadena, California

June 15, 1966

INFORMATION ON GEOGRAPHIC AND CONTROLLED OPEN DISTRICTING.

To implement the Geographic and Controlled Open Districting Policy for 1966-67, the following procedure has been established:

1. *Present Open District Transfers*
   Pupils who reside in the geographic and controlled open district and are now attending schools out-of-district must renew present transfer permits. Parents Must Apply for Renewal Transfers at the School of Present Attendance.

2. *Registration for New Open District Transfers*
   Parents may register their children in any of the schools listed below providing they reside in the Cleveland, Franklin, Garfield, Jackson, Lincoln, Madison, or Washington elementary school zones, and providing their children will be in grades one through six next year. *Before June 30* parents may apply for a transfer at the school the pupil wishes to attend. From *July 1 through July 29, 1966* they may apply at the Division of Elementary Schools, Rm. 222, Education Center, 351 South Hudson. *No applications will be accepted in September.*

Parents must agree to the following:

1. Transportation will be furnished *only* if there is room on existing school bus lines.
2. Pupils will be expected to remain through the sixth grade at the school to which a transfer is requested unless the parents move from the Open District school zones.

Exception: If the enrollment within the district of a receiving school increases and seats are no longer available, it may become necessary to cancel transfer permits from the Open District. Cancellations would be made only at the close of the school year and prior notices would be given.

3. Emergency cards must be on file and up-to-date at all times.

On the basis of present enrollment and in accordance with the Board of Education policy relative to pupil/teacher ratio, it has been determined that seats are available at the following schools:

Receiving Schools	*Address*
Don Benito	3700 Denair Street, Pasadena
Field	3600 Sierra Madre Blvd., Pasadena
Hale	2550 Paloma Street, Pasadena
Garfield	540 So. Pasadena Avenue, Pasadena

For further information, please call the office of the Assistant Superintendent for Elementary Schools, 795-6981.

GRACE M. MCFARLAND
Assistant Superintendent
for Elementary Schools

EXHIBIT PA-VI.

Pasadena City Schools
Department of Research

January 2, 1969

Memorandum

To: Mr. Ralph W. Hornbeck

From: Joseph T. Hanson

Subject: Effect of Senior High School Selected Open District on Ethnic Distribution

You have asked for an "evaluation" of the Senior High School Selected Open District Plan. The only evaluation we can give is the probable ethnic distribution at the three high schools after the plan had been operating three years, 1967-68, and four years, 1968-69. It should be remembered that the entire Senior High School Selected Open District was carved out of the Muir attendance zone. Consequently, it is logical that, without the Selected Open District, all or most of the students residing in the Selected Open District would have been in attendance at Muir. This, of course, would have reduced the enrollment at Blair to the point that it would have been necessary to enlarge the Blair area eastward to include most or all of the Willard Elementary School area—a plan which was actually considered at the time the Blair area was being planned.

Enclosures 1-A and 1-B are the figures for 1967-68. Enclosure 1-A is page 13 from Research Report 267 for 1967-68, "Racial and Ethnic Distribution of Enrollment in Senior High School Areas." Enclosure 1-B is a report of assignments from the Selected Open District for the 1967-68 school year. It will be noted (Encl. 1-B) that Blair was assigned 240 over a three-year period and Pasadena High School was assigned 342 over a three-year period—a total of 582. If we had not had

the Selected Open District, these students (73 Caucasian, 431 Negroes and 78 Others) would have been attending Muir. If these figures are subtracted from Blair and Pasadena High School respectively and added to Muir (see Encl. 1-A) it will be noted that the distribution of Negro students would have been Blair —11.7%, Muir—45.1%, and PHS—.9%. Consequently, it may be concluded that Muir would have had a Negro student enrollment of 45.7% in 1967-68 had the Selected Open District students not been assigned to Blair and PHS as they were. It should be kept in mind that, had more Caucasian students been assigned to Blair from the Willard area, the proportion of Negro students at Blair would have decreased somewhat because the number of Caucasian students would have increased and the total number of students would also have increased, thereby decreasing the percent of Negro students although the number of Negro students would have remained the same. The effect would have been the reverse at PHS, a very slight increase in the proportion of Negro students on account of a drop in total enrollment.

Enclosures 2-A and 2-B are the figures for 1968-69. Enclosure 2-A is page 13 from Research Report 274 for 1968-69, "Racial and Ethnic Distribution of Enrollment in Senior High School Areas." Enclosure 2-B is a report of assignments from the Selected Open District for the 1968-69 school year. It will be noted (Encl. 2-B) that Blair was assigned 243 over a three-year period and Pasadena High School was assigned 375 over a three-year period—a total of 618. If we had not had the Selected Open District, these students (51 Caucasian, 517 Negroes and 50 Others) would have been attending Muir. If these figures are subtracted from Blair and Pasadena High School respectively and added to Muir (see Encl. 2-A) it will be noted that the distribution of Negro students would have been Blair—8.7%, Muir—48.1%, and PHS—.8%. Consequently, it may be concluded that Muir would have had a Negro student enrollment of 48.1% in 1968-69 had the Selected Open

District students not been assigned to Blair and PHS as they were. It should be kept in mind that, had more Caucasian students been assigned to Blair from the Willard area, the proportion of Negro students at Blair would have decreased somewhat because the number of Caucasian students would have increased and the total number of students would also have increased, thereby decreasing the percent of Negro students although the number of Negro students would have remained the same. The effect would have been the reverse at PHS, a very slight increase in the proportion of Negro students on account of a drop in total enrollment.

Because of changes in the State Testing Program, there is (with one minor exception) no way in which the Selected Open District procedure can be evaluated on the basis of test results. The exception is the second year in which the Senior High School Selected Open District was in effect (1965-66). Our testing program had specified achievement testing in the twelfth grade but the State program moved this testing down into the eleventh grade. A comparison of test results (Iowa Tests of Educational Development) indicated that the eleventh grade Selected Open District students attending Pasadena High School scored slightly higher on some of the tests than did the eleventh grade Selected Open District students who were attending Muir. The difference was not statistically significant and must therefore be considered a chance difference only, which would be due to non-measurable differences between the two groups. For example, the students who "volunteered" to attend PHS may have been students with a greater degree of motivation. Furthermore, there is no way of knowing whether or not these students would have done less well, as well, or better had they continued to attend Muir High School. Because of the procedure used in asking for volunteers, using various "pressures" to obtain volunteers and finally mandating a portion of students to PHS, there was no way of setting up control groups which could be used in a sound comparison of test results. The following year (1966-67) the State Depart-

ment of Education moved required testing down to the second month of the tenth grade, thereby eliminating test results as a basis for evaluation in 1966-67 and subsequent years. The latest State Testing Program added new tests to the tenth grade because our own faculty wished to continue the ITED in the tenth grade for diagnostic and program purposes. The Preliminary Scholastic Aptitude Testing program in the tenth grade, the Scholastic Aptitude Testing program in the twelfth grade, Merit Scholarship Testing, Advance College Placement Testing, etc. have placed burdens on staff to the extent that it has not been practical on the basis of student and teacher time to continue additional achievement testing in the eleventh and twelfth grade when not required by the State Department of Education. The net result is that effectiveness of Senior High School Selected Open District cannot be evaluated on the basis of achievement test results.

/s/ J. T. H.
J. T. H.

JTH:ds
Enclosures

1967-68

RIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT IN SENIOR HIGH SCHOOL AREAS - continued

	Total	Caucasian No.	Diff.	Per Cent	% Chge.	Negro No.	Diff.	Per Cent	% Chge.	Others No.	Diff.	Per Cent	% Chge
BLAIR													
64-65	458[a]	288		62.9		100		21.8		70		15.3	
65-66	863[b]	504		58.4		198		22.9		161		18.7	
			+216		-4.5		+98		+1.1		+91		+3.
t. 1966	1297[c]	789		60.8		286		22.1		222		17.1	
			+285		+2.4		+88		-0.8		+61		-1.
t. 1967	1426	853		59.8		318		22.3		255		17.9	
	-240	-30	+64		-1.0	-177	+32		+0.2	-31	+33		+0.
	1186	823		69.4		139		11.7		224		12.7	
MUIR													
58-59	2849	2298		80.7		391		13.7		160		5.6	
61-62	2867	2220		77.4		469		16.4		178		6.2	
			-78		-3.3		+78		+2.7		+18		+0.
62-63	3039	2150		70.8		663		21.8		226		7.4	
			-70		-6.6		+204		+5.4		+48		+1.
63-64	2750[d]	1740		63.3		726		26.4		284		10.3	
			-410		-7.5		+63		+4.6		+58		+2.
64-65	2335[e]	1374		58.8		684		29.3		277		11.9	
			-366		-4.5		-42		+2.9		-7		+1.
65-66	2277	1341		58.9		646		28.4		290		12.7	
			-33		+0.1		+38		-0.9		+13		+0.
t. 1966	2079	1132		54.4		677		32.5		270		13.0	
			-209		-4.5		+33		+4.2		-20		+0.
1967	2098	1039		49.5		795		37.9		264		12.6	
	+532	+ 73	-93		-4.9	+431	+210		+5.3	+78	-6		-0.
	2180	1112		41.5		1226		45.7		342		12.8	
PASADENA													
58-59	1920[f]	1776		92.5		57		3.0		87		4.5	
61-62	3371	3123		92.6		74		2.2		174		5.2	
			+1347		+0.1		+17		-0.8		+87		+0.
62-63	3638	3312		91.0		100		2.8		226		6.2	
			+189		-1.6		+26		+0.6		+52		+1.
63-64	3771	3434		91.1		94		2.5		243		6.4	
			+122		+0.1		-6		-0.3		+17		+0.
64-65	3635	3227		88.8		197		5.4		211		5.8	
			-207		-2.3		+103		+2.9		-32		-0.
65-66	3450	3059		88.7		225		6.5		166		4.8	
			-168		-0.1		+29		+0.1		-45		-1.
t. 1966	3457	2994		86.6		274		7.9		189		5.5	
			-65		-2.1		+49		+1.4		+23		+0.
t. 1967	3407	2936		86.2		280		8.2		191		5.6	
	- 342	-43	-58		-0.4	-252	+6		+0.3	- 47	+2		+0.
	3065	2893		94.4		27		0.9		145		4.7	

[a] Grade 10 only
[b] Grades 10 and 11
[c] Grades 10, 11 and 12
[d] Drop due to La Canada withdrawal of 10th and 11th grade students
[e] Part of drop due to graduation of La Canada 12th grade students
[f] Eleventh and twelfth grades only on Pasadena City College Campus

BEST COPY AVAILABLE

PASADENA CITY SCHOOLS
Department of Research
December 196[illegible]

SENIOR HIGH [illegible]ENROLLED GRADE DISTRICT

SCHOOL	TOTAL	Caucasian No.	Caucasian Per cent	Negro No.	Negro Per cent	Others No.	Others Per cent
Grade 10							
Blair	91	8	8.8	70	76.9	13	14.3
Muir	71	7	9.9	50	70.4	14	19.7
Pasadena	144	23	16.0	106	73.6	15	10.4
TOTAL	306	38	12.4	226	73.9	42	13.7
Grade 11							
Blair	62	9	14.5	47	75.8	6	9.7
Muir	100	11	11.0	77	77.0	12	12.0
Pasadena	116	11	9.5	89	76.7	16	13.8
TOTAL	[illegible]	31	[illegible]	213	75.5	34	12.0
Grade 12	1425						
Blair	87	13	[illegible]	62	71.3	12	13.8
Muir	116	9	7.8	89	76.7	18	15.5
Pasadena	82	9	[illegible]	57	69.5	16	19.5
TOTAL	285	31	[illegible]	208	73.0	46	16.0
TOTAL							
Blair	240	30	[illegible]	179	74.6	31	12.9
Muir	287	27	9.4	216	75.3	44	15.3
Pasadena	342	43	[illegible]	252	[illegible]	47	13.7
TOTAL	869	100	[illegible]	647	74.5	122	14.0

BEST COPY AVAILABLE

1965-67

1968-69

SOCIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT IN SENIOR HIGH SCHOOL AREAS[a] - continued

	Total	Caucasian No.	Caucasian Diff.	Caucasian Per Cent	Caucasian % Chge.	Negro No.	Negro Diff.	Negro Per Cent	Negro % Chge.	Others No.	Others Diff.	Others Per Cent	Others % Chge.
BLAIR													
1964-65	458[a]	288		62.9		100		21.8		70		15.3	
1965-66	863[b]	504	+216	58.4	-4.5	198	+98	22.9	+1.1	161	+91	18.7	+3
Oct. 1966	1297[c]	789	+285	60.8	+2.4	286	+88	22.1	-0.8	222	+61	17.1	-1
Oct. 1967	1426	853	+64	59.8	-1.0	318	+32	22.3	+0.2	255	+33	17.9	+0
Oct. 1968	1441	882	+29	61.2	+1.4	311	-7	21.6	-0.7	248	-7	17.2	-0
	-243	-17				-207				-17			
	1198	865		72.2		104		8.7		229		19.1	
MUIR													
1961-62	2867	2220	-78	77.4	-3.3	469	+78	16.4	+2.7	178	+18	6.2	+0
1962-63	3039	2150	-70	70.8	-6.6	663	+194	21.8	+5.4	226	+48	7.4	+1
1963-64	2750[d]	1740	-410	63.3	-7.5	726	+63	26.4	+4.6	284	+58	10.3	+2
1964-65	2335[e]	1374	-366	58.8	-4.5	684	-42	29.3	+2.9	277	-7	11.9	+1
1965-66	2277	1341	-33	58.9	+0.1	646	-38	28.4	-0.9	290	+13	12.7	+0
Oct. 1966	2079	1132	-209	54.4	-4.5	677	+31	32.6	+4.2	270	-20	13.0	+0
Oct. 1967	2098	1039	-93	49.5	-4.9	795	+118	37.9	+5.3	264	-6	12.6	-0
Oct. 1968	1947	956	-83	49.1	-0.4	717	-78	36.8	-1.1	274	+10	14.1	+1
	+618	-51				-517				-50			
	2565	1007		39.3		1234		48.1		324		12.6	
PASADENA													
1961-62	3371	3123	+1347	92.6	+0.1	74	+17	2.2	-0.8	174	+87	5.2	+0
1962-63	3638	3312	+189	91.0	-1.6	100	+26	2.8	+0.6	226	+52	6.2	+1
1963-64	3771	3434	+122	91.1	+0.1	94	-6	2.5	-0.3	243	+17	6.4	+0
1964-65	3635	3227	-207	88.8	-2.3	197	+103	5.4	+2.9	211	-32	5.8	-0
1965-66	3450	3059	-168	88.7	-0.1	225	+28	6.5	+1.1	166	-45	4.8	-1
Oct. 1966	3457	2994	-65	86.6	-2.1	274	+49	7.9	+1.4	189	+23	5.5	+0
Oct. 1967	3407	2936	-58	86.2	-0.4	280	+6	8.2	+0.3	191	+2	5.6	+0
Oct. 1968	3422	2860	-76	83.6	-2.6	334	+54	9.7	+1.5	228	+37	6.7	+1
	-375	-34				-310				-31			
	3047	2826		92.7		24		0.8		197		6.5	

a Grade 10 only
b Grades 10 and 11
c Grades 10, 11 and 12
d Drop due to La Canada withdrawal of 10th and 11th grade students
e Part of drop due to withdrawal of 10th and 11th grade students

PASADENA UNIFIED SCHOOL DISTRICT
Department of Research
December 1968

SENIOR HIGH SELECTED OPEN DISTRICT
ON THE BASIS OF ASSIGNMENT AT TIME OF DRAWING

SCHOOL	TOTAL	Caucasian No.	Caucasian Per cent	Negro No.	Negro Per cent	Others No.	Others Per cent
Grade 10							
Blair	90	-	-	90	100.0	-	-
Muir	56	20	35.7	-	-	36	64.3
Pasadena	115	-	-	115	100.0	-	-
TOTAL	261	20	7.7	205	78.5	36	13.8
Grade 11							
Blair	91	8	8.8	70	76.9	13	14.3
Muir	71	7	9.9	50	70.4	14	19.7
Pasadena	144	23	16.0	106	73.6	15	10.4
TOTAL	306	38	12.4	226	73.9	42	13.7
Grade 12							
Blair	62	9	14.5	47	75.8	6	9.7
Muir	100	11	11.0	77	77.0	12	12.0
Pasadena	116	11	9.5	89	76.7	16	13.8
TOTAL	278	31	11.2	213	76.6	34	12.2
TOTAL							
Blair	243	17	7.0	207	85.2	19	7.8
Muir	227	38	16.7	127	56.0	62	27.3
Pasadena	375	34	9.1	310	82.7	31	8.2
TOTAL	845	89	10.5	644	76.2	112	13.3

BEST COPY AVAILABLE

123068 Res. JTH:va

[241] **TRANSCRIPT OF PROCEEDINGS.**

January 7, 1970.

Volume 2, Page 241.

PAUL B. SALMON, called as a witness on behalf of the plaintiffs, being first duly sworn, was examined and testified as follows:

The Clerk: Will you please take the witness stand.
For the record, will you please state your name.
The Witness: Paul B. Salmon, S-a-l-m-o-n.

* * * * *

[244] [In] March of 1967 * * * I was selected as superintendent of the Pasadena Unified School District in Los Angeles County.

I served from March of '67 to November 1, 1968 in that capacity. On November 1, 1968 I became superintendent in my present position.

* * * * *

[245] By Mr. Quaintance:

* * * * *

Q. When you came to the district, what form of desegregation plan was in effect?

A. There were two plans. At the high school level there was a plan called the geographically controlled open district, which removed certain predominantly minority students from the central portion of Pasadena to Pasadena High School. This plan had been put into effect I believe in 1963.

* * * * *

[246] Q. Referring to Exhibit 10-M, the area referred to is labeled as the open district, is that correct?

A. Yes, sir.

Q. Was that in a majority black residential area of Pasadena?

A. As I recall it at the time, it was approximately 80 percent black.

Q. And how did that plan operate at the senior high school level?

A. Each year, tenth graders or those entering the tenth grade from the ninth grade of the junior high school serving that area were requested to indicate their first and second choice of high schools to attend. When we received those choices, we then matched them against the seats that had been identified as being available in the Muir High School, the Pasadena High School and the Blair High School.

Students who had brothers or sisters attending either of or any of the high schools had preferential seating. Then came the first choice, [247] then the second choice and of course, if a student couldn't receive either his first or second choice, he was assigned to the remaining high school.

Q. Did that apply equally to white and black students and other students within the open district?

A. Yes, sir. It was a geographically established policy.

* * * *

[248] Q. Dr. Salmon, did the nature of the open district plan at the senior high school change while you were the superintendent?

A. Yes, sir.

Q. Would you describe what that change was.

A. In 1968 a change was made which prevented minority —excuse me a minute—prevented black students from being assigned to Muir High School. Those students were assigned either to Pasadena High School or to Blair High School up to a predetermined percentage standard.

Q. And what was that?

A. As I recall, it was either 23 or 24 percent.

Q. Who proposed that percentage?

A. Mr. Houser.

Q. And was that designed to reflect the percentage of black high school students in the district?

[249] A. I believe it was.

Q. And was it also true that white students and other minority students within the open district would attend Muir High School?

Mr. Miller: I object to the question as leading.

By Mr. Quaintance:

Q. What were white and other students to do in that open district? Where were they to attend school?

A. The Caucasian students in the open district were mandated to attend Muir High School.

Q. Was it or was it not stated by the Board at the time this plan was first under consideration that it was to be an interim plan for senior high schools?

A. As I recall, it was to be an interim plan for senior high schools until a long-range solution could be found.

Q. And was it still in effect when you left the district?

A. Yes, sir.

Q. Was there also a form of open district or open enrollment plan at the junior high school level?

[250] A. There was a plan adopted while I was there that permitted students to transfer from one junior high to another so long as the transfer would improve the ethnic balance in both junior high schools. That plan was adopted, I believe, in 1968.

There was another plan in existence when I went there, went to Pasadena. It was the plan which established ninety available seats at Marshall Junior High School. These seats were available to students from the Washington Junior High School.

[251] 30 such seats per year were available because there were three years—three grade levels in a junior high school.

Q. Were they available both as to white and black students?

A. They were available to people on a first-come first-served basis.

Q. Did you have a term that you used to describe that process?

A. We used to jokingly refer to it as the Oklahoma land rush for seats at Marshall.

Q. At the elementary level was there a form of open enrollment plan in effect in the district?

A. When I first came to the district there was a plan where certain overcrowded sending schools could have students go from those schools to schools in which seats were available, they were receiving schools.

The terms were that there had to be a seat available and that the parent had to provide transportation of the student or the student had to walk.

* * * * *

Q. At the senior high school level was [252] transportation provided?

A. For the open district students, yes.

Q. And at the junior high school level?

A. It was provided for the major portion of the time that I was superintendent but in 1968—excuse me, for the 1969 school year free transportation was eliminated for students participating in that program and they had to provide their own.

* * * * *

[487] January 8, 1970

Volume 3, Page 487.

DR. RALPH HORNBECK, called as a witness on behalf of the plaintiffs, being first duly sworn, was examined and testified as follows:

The Clerk: Will you please take the witness stand.
For the record, will you please state your name?
The Witness: Ralph Hornbeck.
The Clerk: Would you spell the last name?
The Witness: H-o-r-n-b-e-c-k.

* * * * *

[499] Q. How many such transfers were granted in the most recent year, to your knowledge?

A. I don't have that information here.

Q. Do you know whether last year there were more than two such transfers granted?

Mr. Pollock: Are you talking about elementary schools or schools in general?

By Mr. Quaintance:

Q. The schools thoughout the district.

A. I don't have that information. We have been limited grossly in the implementation of open transfer policies because of the problem of schools being closed due to the Field Act standards and the overcrowding of many schools in Pasadena.

* * * * *

[1292] January 13, 1970.

Volume 5, Page 1292.

LU VERNE LA MOTTE, called as a witness by the plaintiffs, having been first duly sworn, was examined and testified as follows:

The Clerk: For the record will you please state your name.
The Witness: My name is LuVerne LaMotte.
The Clerk: Will you spell both names.
The Witness: L-u-V-e-r-n-e L-a-M-o-t-t-e.

Direct Examination by Mr. Roberts.

Q. Mrs. LaMotte, you are one of the defendants and a member of the School Board, correct?

A. Yes, sir.

Q. When were you first elected to the School Board?

A. In 1957.

Q. And have you held office continuously since that time?

A. Yes, I have.

* * * * *

[1307] Q. The question was, what steps were taken toward alleviating the problem. I will ask you later something else.

A. All right.

There were a couple of what I consider rather minor steps.

This was that during this time we reactivated what had formerly been called the La Motte amendment, which came into effect at the time of the open district, when I said if this is the program we ought to make it possible for youngsters from the high school district at Pasadena to attend Muir if they so chose. That was—no, this was not before Mr. Salisian left. And that is what you said, I am sorry.

Yes, it was. I am mixed up on my dates. There was a period of a whole year that Mr. Salisian was on the Board that the La Motte amendment was reinstituted during that same year. A plan which was labeled plan 5 came into effect. This was a designation [1308] that all the open district black students would have to go to PHS or to Blair and all white students in the open district area had to go to Muir.

Q. Could you stop there.

How many white students did that involve, do you know?

A. I don't know, but it is few.

Q. Very few, isn't that the case?

A. Yes.

* * * * *

The Witness: There is one more possible thing that might have occurred, and I don't recall now whether it was before or after Mr. Salisian was on the Board.

And this is that an open transfer policy at all three levels was finally approved. I had begged for some time that an open transfer policy be permitted at the junior high school level as it was at the elementary and high school level. And finally, it had to be sometime in 1968 that this finally became the policy [1309] of the Board, that actually a student living anywhere in the district could transfer to any other school providing he provided his own transportation, provided there was room there and provided it would improve the ethnic balance at both the sending and receiving school.

Q. Other than these measures were there any others taken during the two-year span that you consider effective toward alleviating the imbalance?

A. Not that I recall, no.

Q. Do you feel that these events even in conjunctinon really dealt with the problem on a high level or any substantial way?

A. No.

Q. Would you characterize these plans as more or less stop-gap measures at best?

A. Yes.

* * * * *

[1483] January 14, 1970

Volume 6, Page 1483.

* * * * *

JOHN WELSH, called as a witness by the defendants, having been first duly sworn, was examined and testified as follows:

The Clerk: For the record will you please state your name.
The Witness: John Welsh.
The Court: Will you spell the last name, please.
The Witness: W-e-l-s-h.

* * * * *

[1485] Q. You are a member of the Board of the Pasadena Unified School District, are you not?

A. Yes.

Q. And you have been since when?

A. 1967.

* * * * *

[1535] Q. What kind of voluntary programs would you be in favor of?

[1536] A. I think that kind of a program where you are working with people in encouraging them to attend school outside of their area to help this ethnic problem.

I think it is interesting that when you leave it on a voluntary basis I see that parents and students do not choose to leave their neighborhood areas, at least that is what the experience with the opening of the open district was.

* * * * *

[1948] January 16, 1970.

Volume 8, page 1948.

DR. ROBERT JENKINS, called as a witness on behalf of the defendants, being first duly sworn, was examined and testified as follows:

The Clerk: Will you please take the witness stand.
For the record, will you please state your name.
The Witness: Robert Jenkins.

* * * * *

[1949] Q. You were Superintendent of Schools in Pasadena during what period of time, sir?

A. For nine years, from 1958 through most of 1967.

* * * * *

[1998] Q. From that point on after that report was submitted then what happened in regard to the integration at the elementary level, Dr. Jenkins?

* * * * *

Then I presented Plan 6. Five plans and then Plan 6. A plan for elementary districting in the intergroup education which included the elementary concept of geographic controlled open districting which all children living within any present elementary district would be assured of a seat in the school.

[1999] And then we took a unique move, for Pasadena, in the 1970s now it doesn't sound like very much but in those days it was unique, and that is one thing I think has to be remembered continuously, this is ten years ago. This was in 1964, it was several years ago.

We said, let's have all the children guaranteed a seat within the elementary school district but let's have sending and receiving schools. Let's encourage children in the sending schools to go to the receiving schools where there are seats and in the

sending schools to be in the west side of the district where they had de facto segregated schools. And we opened up schools over the district where they were not so crowded. I think we ended up with 200, 250 students taking advantage of this.

* * * * *

[2047] Q. You have testified concerning open enrollment and indicated that the receiving schools—how would you characterize the receiving schools?

A. Elementary?

Q. Yes.

A. The receiving schools were schools in different parts of the city and primarily they were in the eastern and southern part of Pasadena area that had room.

[2048] The most densely populated schools on the west side. They were our de facto segregated schools.

This is a way of trying to get some of these students out into the schools that had no minority students.

Q. Cleveland was a receiving school, was it not?

A. I can't recall. Perhaps it was because the addition was on there. I can't recall the details.

Q. Assuming that would be true—

A. If it is true it was.

Q. —how would having Cleveland be a receiving school increase integration?

A. It would increase integration, of course, if students, Caucasian students went to the school.

Q. How many white students do you think chose that school?

A. I don't know. I doubt very many did because there was room in the other schools.

Q. In connection with the open enrollment plan is it accurate to say that a person would be permitted to stay there only so long as space was available; is that correct?

A. That is right.

Q. You have indicated you thought approximately [2049] 250 students availed themselves of the opportunity under—

A. To my best memory.

Q. Would it surprise you if the record shows that number the year you left, 1966-67 school year, was 90?

A. Yes. I think it was up higher than that in previous years.

Q. The highest was 114, would that surprise you?

A. Yes, it would.

Q. A minimum of only 86 were black?

A. Uh-huh.

Q. Were you aware that in 1958-59, the year that you had come to Pasadena, that 76 per cent of the black elementary school students were in majority black schools while, when you left, the figure was still 76 per cent, 76.4?

A. Yes. And still 76 per cent during a period when there was a tremendous increase in the percentage of minority students in Pasadena.

Q. And in 1958-59, 96.7 per cent of the white students were in majority white schools. When you left the figure was still over 95 per cent. Were you aware of that?

A. I think that figure sounds accurate because [2050] we still hadn't found the answer.

* * * * *

[2091] JAMES STIVERS, called as a witness by the defendants, having been first duly sworn, was examined and testified as follows:

The Clerk: For the record will you please state your name.
The Witness: James Stivers.
The Clerk: Will you spell the last name.
The Witness: S-t-i-v-e-r-s.
The Clerk: Thank you.

Direction Examination b = Mr. Pollock.

* * * * *

[2092] You served on the Board of the Pasadena Unified School District, did you, at one time?

A. Yes, I did.

Q. Over what period of years did you so serve?

A. 1957 through 19—from 195 through 1967.

Q That covers roughly the same period of time of Dr. Jenkins, then?

A. Yes, I was elected to the Board just slightly after Dr. Jenkins came to Pasadena.

Q. And you left the Board at about the same time he departed from Pasadena?

A. Just a little bit after he left.

* * * * *

[2100] Q. Would you tell us about your involvement and your views?

A. The first time that we received the report of the committee we had scheduled a meeting of the board as we were attempting to do so within the community and heard the report. And as has been previously announced there were no comments about the report other than the commendation to the committee for the excellent job that they had done and for the many numbers of hours that they had spent in the work.

Subsequent to that we held two or three other meetings to discuss the findings of the committee. We immediately asked the County Counsel, ours was a board and a superintendent that depended greatly on counsel, County Counsel was our counsel. We asked them for guidelines and opinion on every matter.

We sent the report immediately to County Counsel along with comments that we had received from others and asked them to evaluate the comments that we had received from the board members, that is what I am referring to, not from outsiders.

Q. All right.

A. And asked them to evaluate it for us and give us an opinion.

We received information from Harold Kennedy [2101] that his staff was finding it difficult to determine that the recommendation made by the citizens committee could be found legal. And Dr. Jenkins and I immediately dropped everything else that we were working on and spent almost full time on it.

We immediately set up a meeting with Harold Kennedy and said we have got to do something that we can work with.

* * * * *

A. During that same period then, and partly at the suggestion of Harold Kennedy, he said that he had to have some alternatives to look at if he would be able to come up with any positive declarations rather than negative ones.

And so then we began to develop other ways of investigation.

We came up, among others, with the selected and controlled open district. And the first time that we did this and the first one that we sent over to Harold Kennedy contemplated the selection of students from the selected open district on the basis of race.

Q. What do you mean by that, sir; would you [2102] explain.

A. That all black students from the open district would be sent to Pasadena High School and that all white students from the open district would be sent to Muir.

We sent that to Harold Kennedy for an opinion. He again, before writing it down, notified us that they would have to find the same conditions prevalent as they did in the plan that had been presented by the citizens group.

Q. How much was this after the June 7, 1963 opinion letter?

A. This was before the June 7 letter.

Q. Before that. All right.

A. The June 7 letter contained three opinions.

One was on the plan that was recommended by the citizens committee which they found to be illegal. The second opinion was on the selected and controlled open district on the basis of race which they found to be illegal. The third was on the selected and controlled open district without reference to race which they found to be legal. It was only because we stayed with that that we were able to come up with one.

The minutes of that meeting, of the June 11 meeting I believe it was, where the June 7 letter was [2103] introduced in public reflects that I made a statement at that time that we were terribly depressed when we discovered that the opinions from County Counsel appeared to be totally negative. And that we worked with County Counsel with full and complete co-operation of that office in order to find a way to have a positive opinion presented at the same time.

* * * * *

[2107] Q. The record in this case shows that the selected open district area is an area composed substantially of Negro population. Were you aware of that at the time when the open district was selected?

A. That is the reason we selected that as the district.

Q. And would it be a fair characterization, then, to say that the district was selected as it was in order to accomplish a result anyway because you knew you were dealing predominantly with Negroes?

A. Yes, sir.

* * * * *

[2227] Q. Were there any reasons or background to your decision to vote in favor of Plan A which you haven't already testified to?

A. Only except the fact that at this point it seemed to me this was the time for the Burbank and Noyes area to go back to Muir where it used to go.

My children all went to Muir, Burbank, Eliot and Muir, and where earlier when the Pasadena High School was built and we

scheduled those children to go there, that seemed perfectly logical at the time. Comes [2228] 1967 and I can really see what some of the problems are, at least I think I can see, and we've got to replace—send Caucasian students over to Muir. I was extremely unpopular in my neighborhood, I might add.

Q. What you are saying, then, is you have come to the point that some aggressive, affirmative program was necessary?

A. Yes, sir.

Q. And those same reasons were the ones that prompted you to vote against the rescission of Plan A after the new board came on in the summer of 1967?

A. That is correct.

Q. And to vote in favor of reinstituting it as to 80 percent of the area in 1969?

A. Correct.

Q. What was your understanding as to the reason why in 1969 the reinstitution of Plan A, if we can call it that, didn't include the entire geographical area that had been involved in 1967?

A. I think simply as a matter that was similar, we are really facing the idea now that there has got to be a complete and aggressive program to integrate at all levels, and we simply said the entire Eliot area without tagging onto the two other little pieces that had been attached to it in the original Plan A.

NOTICE OF MOTION AND MOTION BY PASADENA CITY BOARD OF EDUCATION FOR (1) RELIEF FROM THE COURT'S JUDGMENT, (2) DISSOLUTION OF THE COURT'S INJUNCTION, (3) TERMINATION OF THE COURT'S CONTINUING SUPERVISION OVER THE ACTIONS OF SAID BOARD AND (4) ALTERNATIVELY, FOR MODIFICATION OF PLAN FOR INTEGRATION DATED FEBRUARY 18, 1970.

Filed 15 January 1974.

To This Honorable Court;

To Plaintiffs Nancy Anne Spangler, by her father and next friend, James E. Spangler, Jr., Judith R. Clarke, by her father and next friend, Wilton A. Clarke; and Vivion Rostker, by her father and next friend, Skipper Rostker, for themselves individually and on behalf of all others similarly situated, and to their attorneys A. L. Wirin, Fred Okrand, John D. O'Loughlin and Jill Jakes; and

To Plaintiff-Intervenor, United States of America, and to its attorney Robert H. Bork, Acting Attorney General:

Please Take Notice that on the 15th day of January 1974, at 10 o'clock a.m., or as soon thereafter as counsel can be heard, in the Courtroom of the Honorable Manuel L. Real, United States Courthouse Building, 312 North Spring Street, Los Angel . California, the Pasadena City Board of Education (the Board) will move, and does hereby move, the above-entitled Court as follows:

(1) For modification of a judgment of this Court dated January 22, 1970, pursuant to the jurisdiction retained therein and pursuant to Rule 60(b) of the Federal Rules of Civil Procedure;

(2) For dissolution of this Court's injunction in the above-entitled matter;

(3) For termination of this Court's continuing supervision over the actions of the Board; or in the alternative

(4) For approval of the Board's proposed modification of the "Pasadena Plan" dated February 18, 1970. A copy of said modification entitled "The Integrated Zone/Educational Alternatives Plan" is attached hereto as "Exhibit 1".

Said motions will be made upon the grounds that:

(1) Due to changing circumstances within the City of Pasadena, the Board is obliged to seek modification from this Court of its judgment in the above-entitled matter in order to eliminate the provision therefrom that ". . . there shall be no school in the District, elementary or junior high or senior high school, with a majority of any minority students";

(2) The present Board and its predecessor Board have complied with the mandate of this Court relating to a unitary school district;

(3) This Court is no longer required to maintain continuing jurisdiction over the Board's actions; and alternatively

(4) Proposed non-discriminatory modifications to the Pasadena Plan embody ng sound educational programs should be approved by this Court.

This motion is based upon the records, pleadings and documents on file in this action, upon the affidavits of Ramon C. Cortines and Henry Marcheschi, the memorandum of points and authorities in support thereof, and such other matters and testimony as may be presented upon the hearing of said motion.

Dated: December 19, 1973.

PAUL, HASTINGS, JANOFSKY & WALKER
LEE G. PAUL
ROBERT G. LANE
PETER D. COLLISSON
By /s/ LEE G. PAUL
LEE G. PAUL
Attorneys for Pasadena City Board of Education

IT IS ORDERED that this matter shall come on for hearing before me on the 25th day of February, 1974, at 10 o'clock a.m.

/s/ MANUEL L. REAL
Manuel L. Real
United States District Judge.

AFFIDAVITS OF RAMON C. CORTINES AND HENRY MARCHESCHI IN SUPPORT OF DEFENDANTS' MOTION.

Filed 15 January 1974.

RAMON C. CORTINES, being first duly sworn, deposes and says that:

He is now and has been since August 1972 Superintendent of Schools for the Pasadena Unified School District. Prior thereto and for a period of approximately four years he was Assistant Superintendent in charge of secondary education for said District.

He is familiar with the provisions of and performance under the Plan for Integration of the Pasadena Unified School District (the District) approved by the United States District Court on January 22, 1970. Since the adoption of said Plan the District has in fact become a unitary school district in compliance with the order of this Court and has implemented the provisions of said Plan by:

For the Elementary Schools.

(1) Creation of and dividing the District into four ethnically balanced geographic areas;

(2) Pairing of schools of different ethnic composition within each area so that said schools provided primary level education for kindergarten through grade three and elementary level education for grades 4 through 6:

(3) Assignment of students within the respective geographic areas to comply with the requirement that no school as of September 1970 had a majority of any minority; and

(4) Cross-town busing.

For the Junior High Schools.

(1) Establishment of new ethnically-balanced attendance zones;

(2) Establishment of four intermediate schools in grades 7 and 8;

(3) Designation of these schools to avoid classes having a majority of any minority; and

(4) Cross-town busing.

For the High Schools.

(1) Establishment of ethnically-balanced attendance zones;

(2) Designation of these schools to avoid classes having a majority of any minority at each school site;

(3) Transfer of 9th grade to senior high school level; and

(4) Cross-town busing.

For the Entire District.

(1) Reassignment of teachers to reduce racial imbalance;

(2) Establishment and implementation of new recruitment and hiring policies for the District designed to attract minority candidates for teaching and administrative positions;

(3) Establishment and implementation of a procedure within the District to increase promotions of minority teachers and administrators; and

(4) An appeals procedure has been designed and informally implemented to protect all rejected applicants for vacant positions.

Despite the steps taken as aforesaid under the Plan to accomplish integration within the District, there has been a progressive failure of ability to comply. During the second year of the Plan (1971-72) one school had a majority of a minority;

during the third year (1972-73) four schools fell into this category; this year, the fourth year, there are five such schools and six more are within a few percentage points of having a majority of a minority. If the present trend is allowed to continue, within the framework of the existing Plan, it will become a practical impossibility to comply district-wide with the provisions of the Court's Judgment that "there shall be no school in the District . . . with a majority of any minority students".

This failure is due primarily to a decrease in the number of Anglo-Caucasian students and an increase in the number of Negro and Spanish-surname students attending the Pasadena schools. Exhibit 1 attached hereto shows the changes in the ethnic composition of the District since establishment of the Pasadena Plan. The exhibit shows a progressive change at each educational level in the ethnic composition of the District. The number of Anglo-Caucasian students continued to decrease at all levels while the number of Negro and Spanish-surname students continues to increase at almost all levels.

Affiant is prepared to support the modifications approved by the Board of Education and attached as Exhibit 2 hereto. Affiant further believes that these modifications can successfully be applied in the Pasadena Unified School District and that they will offer opportunities for sound educational programs for the elementary students of the school district.

/s/ RAMON C. CORTINES,
Ramon C. Cortines.

Subscribed and sworn to before me this 19th day of December, 1973.

/s/ HELEN L. NICHOLSON,
Notary Public in and for said County and State.

HENRY MARCHESCHI, being first duly sworn, deposes and says that:

He is now and has been since July 3, 1973 the President of the Pasadena City Board of Education. Prior thereto and since July 1971 he was a member of said Board of Education.

Affiant is familiar with and as a member of said school board has worked under the Plan for Integration of the Pasadena Unified School District (the Plan) approved by the United States District Court on January 22, 1970.

Affiant has read the Affidavit of Ramon C. Cortines dated December 19, 1973 and prepared for filing simultaneously with this affidavit, and affiant subscribes to and reaffirms the statements made by Mr. Cortines in his said affidavit.

Affiant believes that as a result of the implementation of said Order of Court described in the Cortines affidavit the Pasadena Unified School District is now a unitary school district. It is the desire of affiant and the other members of the Pasadena Board of Education to improve the quality of education in the Pasadena school system and also to further implement desegregation within said school district. Affiant nevertheless is satisfied that the increase in the number of minority students attending the Pasadena schools and the decrease in the number of white students attending such schools has created a condition of racial instability which threatens future integration of the school district and has made it a practical impossibility to continue to comply with the portion of the judgment of this Court which required that there be no school in the district "having a majority of any minority students". The district should, therefore, be relieved from said provision of said judgment.

Further, affiant believes and therefore affirms that greater racial stability and an improved, integrated and non-discriminatory educational program can best be achieved through the adoption of certain modifications to the Plan. Attached hereto, marked "Exhibit 2", is a copy of the "Proposed Modifications

to the Pasadena Plan" which affiant as President of the Board has endorsed and has instructed the Board's attorneys to present to this Honorable Court.

/s/ HENRY MARCHESCHI,
Henry Marcheschi.

Subscribed and sworn to before me this 19th day of December, 1973.

/s/ LINDA C. BURGHDORF,
Notary Public in and for said County and State.

"Exhibit I"

Ethnic Group	Level	October 1970*		October 1973**	
	K-3	4247	49.2	3003	42.0
	4-6	3302	50.2	2364	41.5
Anglo-Caucasian	7-8	2466	54.4	1594	40.2
	9-12	5537	60.1	4125	49.1
Total	K-12	15,552	53.7	11,086	44.0
	K-3	3105	36.0	2776	38.9
	4-6	2416	36.7	2470	43.4
Negro	7-8	1477	32.6	1773	44.7
	9-12	2520	27.3	3075	36.6
Total	K-12	9518	32.9	10,094	40.0
	K-3	931	10.8	1100	15.4
	4-6	634	9.7	652	11.5
Spanish Surname	7-8	384	8.5	464	11.7
	9-12	696	7.6	840	10.1
Total	K-12	2645	9.1	3056	12.1

*Excludes Roosevelt

**Excludes Roosevelt, Home Teaching, Five Acres, Hillside Episcopal Home and E. H. class at Lincoln.

"EXHIBIT 2"

Pasadena Unified School District

December 18, 1973

THE INTEGRATED ZONE/EDUCATIONAL ALTERNATIVES PLAN
A PROPOSED MODIFICATION TO THE "PASADENA PLAN"

Introduction.

Because five of the District's 32 regular schools now have a majority of a minority race and an additional six schools are within a few percentage points of joining this category, certain modifications to the Pasadena Plan are mandatory. The proposed modifications are designed to insure as much continuity with the present form of public education in Pasadena as possible. The overall effect of these modifications will be to allow parents to express more freedom in choosing the location and type of education available to each of their children and to motivate schools to compete for attendance of these children.

Modifications.

(1) The first modification involves a return to the elementary system, Kindergarten through Grade 6, thereby discontinuing the current primary (K-3), elementary (4-6) organization. This change is necessary to provide a sufficient number of school sites within each zone from which parents can choose the type of education most appropriate for each of their children.

(2) The second modification involves establishment of unique educational alternatives at each K-6 school site in addition to the ongoing traditional program being taught there. Studies have shown that sufficient excess capacity exists to accomplish this easily. Each unique alternative is to be designed and placed at a particular school site so that it acts as a "magnet" to draw students from all parts of a zone, thus encouraging integration.

The following are some unique alternatives which, in addition to instruction in the basic skills, can provide exciting educational opportunities (see Exhibit A for additional information about each opportunity) for children:

1. *Alternative School Program*—Emphasizes the regular curriculum in an unstructured environment.
2. *Fundamental School Program*—Emphasizes the regular curriculum in a structured environment.
3. *A Fine and Performing Arts Program*—Will emphasize creative experiences in art, music, drama, dance, and literature.
4. *An Animal and Plant Life Program*—Will emphasize first-hand experience with actual raising of crops and animals.
5. *A Daily Newspaper-Based Program*—Will use the daily newspaper as the basis for study in reading, mathematics, social science, science, art, and other areas.
6. *A School in the Community/Career Awareness Program*—Will emphasize direct experiences with institutions and activities in the community as the basis of study.
7. *A Social Science/Science Program*—Will emphasize multi-cultural studies and outdoor, ecology-oriented studies.
8. *A Foreign Language and Cultural Program*—Will emphasize the mastery of a foreign language and the understanding of its cultural setting.
9. *An Early Childhood Education Program*—Will encompass children from four (4) to eight (8) years of age and provide multiple educational experiences that may prepare them for higher achievement in subsequent grades.

The specific, unique alternatives located at each school site will be defined prior to the beginning of the 1974-75 school year.

The existing special schools, including the Fundamental School and the Alternative School, will be maintained and expanded if necessary to act as special District-wide "magnet schools". These schools have already demonstrated their ability to promote integration on a voluntary basis. Additional magnet schools may be added such as a year-round school.

(3) The third modification involves the elimination of specific elementary school attendance boundaries. In their place four racially and ethnically balanced zones, representative of the district as a whole, will be created whose boundaries coincide with the four existing areas on which the present Pasadena Plan is designed. Exhibit B shows the zones, their boundaries, and the schools contained in each zone. Any parent who lives within a zone may choose to send his child to any school within that zone. The school district will provide all required transportation. Thus, all students who are presently enrolled in our schools would be able to continue to attend the school that they now attend if their parents so choose or they would be free to choose from any other school within their zone.

(4) On the basis of providing parents with new options as to the type of education available, the ethnic balance at some sites may be altered from what it is at present. It is, therefore, proposed that if any school's ethnic profile should deviate significantly from the District-wide ethnic profile, that school would be paired with a "sister school" with an opposite ethnic make-up. District transportation would then be provided so that students from both schools would share in special educational programs covering at least one-half a school day per week. These special educational programs will be available to students on an optional basis. Examples may include cooperative art/music programs or programs similar to those alternatives outlined previously. The special programs will be designed to encourage interest and desire to participate.

Unmodified Features of the Pasadena Plan.

The four modifications presented apply to the elementary grades (K-6) only. Modifications related to junior high school

and senior high school attendance are: s present special problems and are now being studied by the sch ool district administrators at the direction of the Board of Educ ation.

Finally, all other features of the p resent Pasadena Plan including teacher recruitment and assig ment, personnel advancement, recruitment and advancement f administrators, etc., are to remain as operating currently.

Conclusion.

The porposed modifications are de signed to demonstrate affirmative action on the District's pa to stimulate integration within each zone without mandator assignment of students. Further, the proposed modifications w ill allow parents to choose the type of education they want for each of their children.

The modifications will introduce t e element of competition among the schools in each zone for pupil attendance, thereby introducing a critical new element o improve the quality of education in Pasadena schools.

Finally, the modifications are desi ned to stabilize the ethnic composition of the school district s that meaningful integration can take place.

Exhibit A.

Every elementary school in the di trict will provide for each student a program in the basic skill of reading, mathematics, and language arts as well as physic l education. Additionally special programs such as, compen atory education (Title I, ESEA) mentally gifted minors (M GM), and others that are now a part of the regular school prog am will continue.

One of the mini-schools suggeste below would be a component within the regular school.

Students would have the opport nity to attend the mini-school for instruction in subjects c her than the basic skills based on their interest in that sch ol's alternative emphasis.

Students may also receive this instruction in these subjects in the regular program being taught at the school.

For example, a student living near Altadena School has a number of choices. He may attend Altadena's regular school program or its mini-school *or* he can choose the regular school program or any mini-school at any other school within that zone. The following are brief descriptions of *some* possible mini-schools suggested to date:

1. *Fine and Performing Arts Mini-School* will provide opportunities for students to create music, dance, write and enjoy prose and poetry, as well as original plays. Students will have many opportunities to perform for the public, and to exhibit their work in the community. Extensive involvement of community resources is planned.
2. *Media/Current Events Mini-School* will use daily and weekly newspapers as the basis for study in reading, mathematics, social science, and other areas. The diversity of types of information in each newspaper makes it a good tool for instruction in many areas. Additionally, students will write, setup, and print their own newspaper on a regular basis using the techniques and equipment commonly used in the production of a daily newspaper.
3. *A Foreign Languages and Cultures Mini-School* will emphasize the mastery of a foreign language and the understanding of its cultural setting. Language specialists will give instruction for a block of time each day in French, Spanish, Russian or German, and Japanese or Chinese. In addition, time will be devoted daily to studies of the cultures and peoples represented by these languages by a teacher trained in multi-cultural studies and intergroup activities.
4. *A School in the Community/Career Awareness Mini-School* will emphasize direct experiences with institutions and activities in the community as the basis of study. Trips to various places in the community, including provision for instruction as these sites will be

central to this program. Students will not only learn about the existence of agencies, jobs, and institutions, but also how they work and how students can train themselves to qualify for a career in a variety of fields.

5. *An Animal and Plant Life Mini-School* will emphasize first-hand experiences with the actual raising of animals and crops. Facilities will be provided so that a wide variety of experiences in horticulture and husbandry may be presented. An appreciation of labor and the discovery of various phases of development of animal and plant life will be integral parts of this program.
6. *A Social Science/Science Mini-School* will emphasize multi-cultural studies as well as outdoor, ecology-oriented studies. A few foreign countries and cultures will be studied in depth and compared with out life here in the United States. These studies will include customs and life styles, government and sociology. Additionally, outdoor educational experiences will be provided many times during the school year with emphasis on the study of the environment and the impact of developed and undeveloped societies on their environment.
7. *An Early Childhood Education Mini-School* will provide a design with a variety of classroom structure, educational experiences in language, reading, mathematics, music, art, science, physical activity and health that will develop a readiness base and continuum of skills in primary grades. Parent participation is essential in all phases of the program to insure the child's well-being and progress.

"Exhibit 2"

-12-

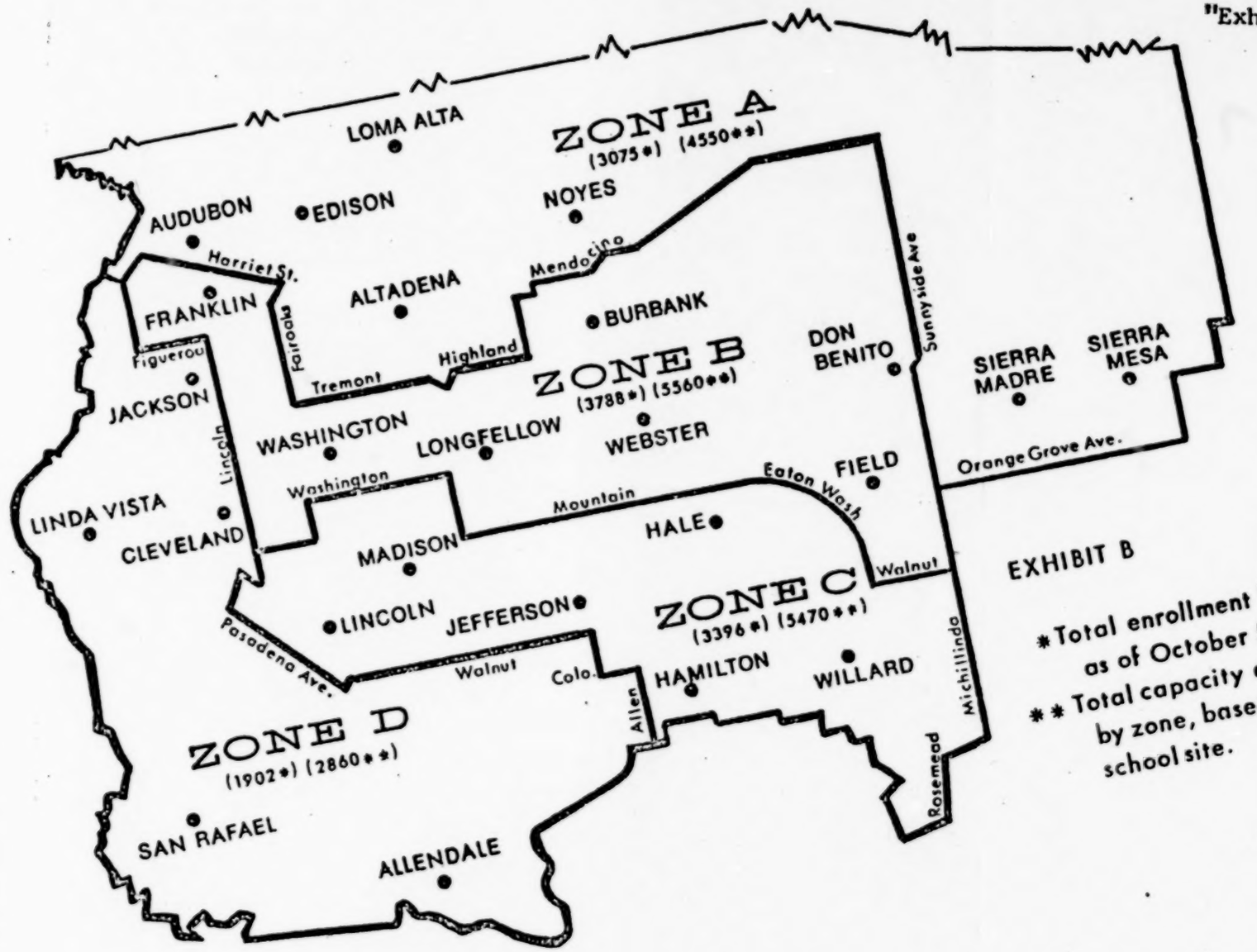


EXHIBIT B

*Total enrollment by zone as of October 5, 1973

**Total capacity available by zone, based on K-6 school site.

246

SUPPLEMENT TO THE MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF THE PRELIMINARY RESPONSE OF THE UNITED STATES.

Filed 28 January 1974.

The United States of America, plaintiff-intervenor in the above-styled action, hereby submits to the Court copies of the Order in the three cases cited at page 7, lines 14 through 19 of the Memorandum of Points and Authorities in support of the Preliminary Response of the United States, filed January 22, 1974.

Exhibit "A" is the Order of dismissal of July 23, 1973, in the Case of *United States of America, et al.* v. *Georgia,* United States District Court for the Northern District of Georgia, Civil Action No. 12,972;

Exhibit "B" is a copy of the Order of dismissal of July 5, 1973, in the case of the *United States* v. *County School Board of Sussex County, Virginia, et al.,* United States District Court for the Eastern District of Virginia, Richmond Division, Civil Action No. 6060-R; and

Exhibit "C" is a copy of the Order of dismissal of July 5, 1973, in *United States* v. *School Board of Richmond County, Virginia, et al.,* United States District Court, Eastern District of Virginia, Richmond Division, Civil Action No. 224-69-R.

Dated: January 28, 1974.

Respectfully submitted,

J. STANLEY POTTINGER
Assistant Attorney General
WILLAM D. KELLER
United States Attorney
JAMES STOTTER, II
Assistant United States Atty.
Central District of California
/s/ BRIAN K. LANDSBERG
Brian K. Lansberg
Attorney, Department of Justice
Washington, D.C. 20530

Exhibit "A".

IN THE UNITED STATES DISTRICT COURT
for the Northern District of Georgia
Atlanta Division

UNITED STATES OF AMERICA, *Plaintiff*, CHARLIE RIDLEY, et al., *Plaintiff-Intervenor*, *vs.* STATE OF GEORGIA, et al. (Barrow County School District, Cowetta County School District, Hogansville City School District, Le Grange City School District, Meriweather County School District, Newton County School District, Rome City School District, Troup County School District, Walker County School District, West Point City School District, Winder City School District, Decatur City School District)	Civil Action No. 12,972

ORDER.

By order of June 7, 1973, this Court required the United States to show cause why the Barrow County School District, the Cowetta County School District, the Hogansville City School District, the La Grange City School District, the Meriweather County School District, the Newton County School District, the Rome City School District, the Troup County School District, the Walker County School District, the West Point City School District and the Winder City School District should not be dismissed from this suit pursuant to *Wright* v. *Board of Public Instruction of Alachua County, Florida,* 445 F.2d 1397 (5th

Cir. 1971); *Steele* v. *Board of Public Instruction of Leon County, Florida,* 448 F. 2d 767 (5th Cir. 1971); *Youngblood* v. *Board of Public Instruction of Bay County,* 448 F. 2d 770 (5th Cir. 1971). While the City of Decatur School District was not included in the show cause order of June 7, 1973, it was also considered for these purposes. Additionally, the State of Georgia filed a motion on June 28, 1973, requesting the Court to drop the State of Georgia, the State Board of Education, its individual members and the State Superintendent of Schools as parties-defendant in this case.

On the basis of the Response filed by the United States and in view of the record in this case, this Court has determined (1) the Newton County School District will not implement a terminal student assignment desegregation plan until the 1973-74 school year (2) the Rome City School District had a major enforcement problem at the beginning of the 1972-73 school that was resolved by the Stipulation approved by this Court on November 29, 1972 and will not implement a terminal student assignment desegregation plan until the 1973-74 school year (3) the City of Decatur School District will not implement a terminal desegregation plan until the 1973-74 school year (4) the Winder City School District was consolidated into the Barrow County School District on July 1, 1971 and the same desegregation plans for both the city and county which were approved by this Court's order of April 21, 1970 were retained with the exception that Winder Junior High School now serves all students in grades 7-8 residing in both the city and county and the Auburn, Bethlehem, County Line, Holsenbeck and Statham elementary schools serve grades K-6 rather than grades K-8, and while the consolidation and zone and grade structure modifications were not approved by this Court prior to implementation, they have not adversely affected the desegregation of the schools in either Winder City or Barrow County (5) the Meriweather County School District abandoned the policy of assigning students on the basis of sex to the two schools in the City of Greenville for the 1971-72

school year and has paired both schools so that Greenville Elementary now serves all students in grades 1-7 and Greenville High School now serves all students in grades 8-12 in the Greenville attendance zone which was established by this Court's order of April 21, 1970 and while the modifications were not approved by this Court prior to implementation, they have not adversely affected the desegregation of the school district (6) the Barrow County School District, the Cowetta County School District, the Hogansville City School District, the La Grange City School District, the Merriweather County School District, the Troup County School District, the Walker County School District and the West Point City School District have for three school years complied with the Supreme Court's decision in *Brown* v. *Board of Education*, 347 U. S. (1954) and have become "unitary" in the sense required by the Supreme Court's decision in *Green* v. *County School Board*, 391 U. S. 430 (1968) and *Swann* v. *Board of Education*, 402 U. S. 1 (1971) (7) The State of Georgia, the State Board of Education, its' individual members, and the State Superintendent of Schools have a continuing duty to promote compliance by the school district in this cause with orders of this Court and of the United States District Courts for the Middle and Southern Districts of Georgia and should remain as active parties to this case until all of the school districts in this cause have been placed on the inactive docket.

Accordingly, IT IS ORDERED That:

1. The State of Georgia, the State Board of Education, its individual members, the State Superintendent of Schools, the Newton County School District, the Rome City School District and the City of Decatur School District shall remain as active parties to this cause and shall continue to comply with all of the requirements of this Court's order of December 17, 1969, as subsequently modified, with the following exceptions:

(a) The school districts which remain as active parties in this cause, in lieu of providing the information required by this

Court's order of December 17, 1969, as subsequently modified, in their bi-annual reports may provide the information reported in the School System Summary Reports (Forms 101 and 102) which are filed with the Department of Health, Education and Welfare. However, all school districts which remain as active parties in this cause shall continue to file bi-annual reports to the State Board of Education and the Department of Health, Education and Welfare.

(b) The provisions of the detailed regulatory injunction of December 17, 1969, as subsequently modified, specifying the duties of the State defendants in this cause, shall automatically be dissolved as they pertain to each school district which this Court or the United States District Courts for the Middle or Southern Districts of Georgia place on the inactive docket and the following permanent injunction substituted:

> The State of Georgia; the State Board of Education, its individual members, and the State Superintendent of Schools (a) shall not take any action which may result in the re-establishment of the former dual school system in any of said school districts; (b) shall not permit any action by any of said school districts which would violate the terms of the permanent injunction provided for in paragraph 4 of this order; (c) shall not provide any state funds to any of said school districts which has been found in violation of the terms of the permanent injunction provided for in paragraph 4 of this order; and (d) shall make appropriate inquiries whenever the State Department of Education receives information or complaints reflecting possible violation by any of said school districts of the terms of the permanent injunction provided for in paragraph 4 of this order.

2. The consolidation of the Winder City School District into the Barrow County School District is approved.

3. The abandonment of sex-separation at the Greenville Boys School and the Greenville High School by the Meriweather County School District and the pairing of the two

schools so that Greenville Elementary serves all students in grades 1-7 and Greenville High School serves all students in grades 8-12 residing within the Greenville attendance zone (which attendance zone was approved by this Court's order of April 21, 1970), is approved.

4. The detailed regulatory injunction issued by the Court on December 17, 1969, as modified by subsequent orders of this Court, is dissolved for the Barrow County School District, the Cowetta County School District, the Hogansville City School District, the La Grange City School District, the Meriweather County School District, the Troup County School District, the Walker County School District and the West Point City School District and the following permanent injunction is substituted for each school district:

(a) The school district shall take no action which tends to segregate students or faculty by or within schools on the basis of race, color or national origin.

(b) Staff members who work directly with children, and professional staff who work on the administrative level will be hired, assigned, promoted, paid, demoted, dismissed, and otherwise treated without regard to race, color, or national origin.

(c) Each school district shall permit a student attending a school in which his race is in the majority to choose to attend another school where his race is in the minority. Any student transferring under this arrangement must be provided with free transportation and space must be made available in the school to which the student desires to move.

(d) Bus routes and the assignment of students to buses will be designed to insure the transportation of all eligible pupils on a non-segregated and otherwise non-discriminatory basis.

(e) All school construction, school consolidation and site selection (including the location of any temporary classrooms) in the system shall be done in a manner which will prevent the reoccurrence of the dual school structure.

(f) If the school district grants transfers to students living in the district for their attendance at public schools outside the district, or if it permits transfers into the district, it shall do so on a non-discriminatory basis, except that it shall not consent to transfer where the cumulative effect will reduce desegregation in either district.

5. With the exception of the Newton County School District, the Rome City School District, and the Decatur City School District these school districts are placed on the inactive docket of this Court subject to being re-activated on proper application by any party, or on the Court's motion, should it appear that further proceedings are necessary.

Done this 23rd day of July, 1973.

Exhibit B.

IN THE UNITED STATES DISTRICT COURT,
For the Eastern District of Virginia,
Richmond Division.

UNITED STATES OF AMERICA *vs.* COUNTY SCHOOL BOARD OF SUSSEX COUNTY, VIRGINIA, et al.	Civil Action No: 6060-R

ORDER.

Deeming it proper to do, it is ADJUDGED and ORDERED that:

1. The detailed regulatory injunction issued by this Court on July 10, 1969, as modified by orders of August 1, 1969 and September 11, 1970, is dissolved.

2. The permanent injunction entered on April 30, 1969, is modified to include the following provisions:

a. Defendants shall take no action which tends to segregate students or faculty by or within schools on the basis of race, color, or national origin.

b. Staff members who work directly with children, and professional staff who work on the administrative level will be hired, assigned, promoted, paid, demoted, dismissed, and otherwise treated without regard to race, color, or national origin.

c. The school district shall permit a student attending a school in which his race is in the majority to choose to attend another school, where his race is in the minority. Any student transferring under this arrangement must be provided with free transportation and space must be made available in the school to which he desires to move.

d. Bus routes and the assignment of students to buses will be designated to insure the transportation of all eligible pupils on a nonsegregated and otherwise non-discriminatory basis.

e. All school construction, school consolidation, and site selection (including the location of any temporary classrooms) in the system shall be done in a manner which will prevent the reoccurrence of the dual school structure.

f. If the school district grants transfers to students living in the district for their attendance at public schools outside the district, or if it permits transfers into the district, it shall do so on a non-discriminatory basis, except that it shall not consent to transfers where the cumulative effect will reduce desegregation in either district.

3. This action is hereby closed as an active case of this Court, subject to being reopened on proper application by any party, or on the Court's motion, should it appear that further proceedings are necessary.

Let the Clerk send copies of this order to counsel of record.

Date: 7-5-73.

Exhibit C.

IN THE UNITED STATES DISTRICT COURT,
For the Eastern District of Virginia,
Richmond Division.

UNITED STATES OF AMERICA *vs.* SCHOOL BOARD OF RICHMOND COUNTY, VIRGINIA, et al.	}	Civil Action No: 224-69-R

ORDER.

Deeming it proper so to do, it is ADJUDGED and ORDERED that:

1. The detailed regulatory injunction issued by this Court on June 9, 1970, is dissolved.

2. The defendant school district is permanently enjoined from operating a dual system of racially identifiable schools. In addition, operation of the defendant school district shall be subject to the following provisions:

a. Defendants shall take no action which tends to segregate students or faculty by or within schools on the basis of race, color, or national origin.

b. Staff members who work directly with children, and professional staff who work on the administrative level will be hired, assigned, promoted, paid, demoted, dismissed, and otherwise treated without regard to race, color, and national origin.

c. The school district shall permit a student attending a school in which his race is in the majority to choose to attend another school, where his race is in the minority. Any student transferring under this arrangement must be provided with free transportation and space must be made available in the school to which he desires to move.

d. Bus routes and the assignment of students to buses will be designed to insure the transportation of all eligible pupils on a nonsegregated and otherwise non-discriminatory basis.

e. All school construction, school consolidation, and site selection (including the location of any temporary classrooms) in the system shall be done in a manner which will prevent the reoccurrence of the dual school structure.

f. If the school district grants transfers to students living in the district for their attendance at public schools outside the district, or if it permits transfers into the district of students who live outside the district, it shall do so on a non-discriminatory basis, except that it shall not consent to transfers where the cumulative effect will reduce desegregation in either district.

3. This action is hereby closed as an active case of this Court subject to being reopened on proper application by any party, or on the Court's motion, should it appear that further proceedings are necessary.

Let the Clerk send copies of this order to counsel of record.

Date: 7-5-73.

CERTIFICATE OF SERVICE BY MAIL.

I, Virginia M. Molus, declare:

That I am a citizen of the United States and resident or employed in Los Angeles County, California; that my business address is Office of United States Attorney, United States Courthouse, 312 North Spring Street, Los Angeles, California 90012; that I am over the age of eighteen years, and am not a party to the above-entitled action;

That I am employed by the United States Attorney for the Central District of California who is a member of the Bar of the United States District Court for the Central District of California, at whose direction the service by mail described in this Certificate was made; that on January 28, 1974, I deposited in the United States mails in the United States Courthouse at 312 North Spring St., Los Angeles, California, in the above-entitled action, in an envelope bearing the requisite postage, a copy of Supplement to the Memorandum of Points and Authorities in Support of the Preliminary Response of the United States.

addressed to Mr. Fred Okrand
Legal Director of Southern California
ACLU Foundation
323 West Fifth Street
Los Angeles, California 90013;

Mr. Lee G. Paul
555 So. Flower Street, 22nd Floor
Los Angeles, California 90071;

Mr. Charles B. Johnson
Attorney at Law
353 East Orange Grove Ave.
Pasadena, California 91104,

at their last known address, at which place there is a delivery service by United States mail.

This Certificate is executed on January 28, 1974, at Los Angeles, California.

I certify under penalty of perjury that the foregoing is true and correct.

/s/ VIRGINIA M. MOLUS.

USA-12c-240
(Rev. 10/19/67)

UNITED STATES DISTRICT COURT,
Central District of California.

NANCY ANNE SPANGLER, et al.,
Plaintiffs,
and
UNITED STATES OF AMERICA,
Plaintiff-Intervenor,
vs.
PASADENA CITY BOARD OF EDUCATION, et al.,
Defendants.

No. 68-1438-R

AFFIDAVIT OF JAMES E. SPANGLER, JR., IN OPPOSITION TO MOTIONS FOR RELIEF FROM THE COURT'S JUDGMENT; DISSOLUTION OF THE COURT'S INJUNCTION; TERMINATION OF THE COURT'S CONTINUING SUPERVISION OVER THE ACTIONS OF THE PASADENA CITY BOARD OF EDUCATION; AND, ALTERNATIVELY, FOR MODIFICATION OF PLAN FOR INTEGRATION DATED FEBRUARY 18, 1970.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.

JAMES E. SPANGLER, JR., being first duly sworn, says:

I am the father of Nancy Ann Spangler, one of the plaintiffs in the within action, and a resident within the jurisdiction of the Pasadena Board of Education for 11½ years.

On January 23, 1970, this Court entered its judgment against the defendant Pasadena City Board of Education, its members, agents, and their successors, enjoining them "from discriminating on the basis of race in the operation of the Pasadena Unified School District," and requiring them, among other things, to "prepare and adopt a plan to correct racial imbalance at all levels in the Pasadena School District" and "submit that plan to the Court by February 16, 1970."

The Pasadena City Board of Education is composed of 5 members. On January 27, 1970, at a special meeting, the Board voted 3 to 2 against a motion to appeal the Court's decision. The then three members of the Board who voted against taking an appeal were LuVerne La Motte, Albert C. Lowe, and Joseph S. Engholm. A copy of the first page of the minutes of said meeting, cumulative page 17,275 of the Board's minutes, is attached hereto as Exhibit A.

On March 2, 1970, a motion for leave to intervene in this action was filed by parents who were dissatisfied by the Board's decision not to appeal this Court's judgment. That motion was denied by this Court on March 4, 1970, and entered on March 9, 1970.

On or about April 1, 1970, a campaign to recall the three board members who had voted against taking an appeal was started. Henry Marcheschi, a present member of the Board of Education, supported the recall and was a candidate on a slate with two others for election to the Board should the recall succeed. Attached hereto, as Exhibit B, are copies of campaign literature distributed by or on behalf of said three candidates during the campaign. Attached hereto as Exhibit C is a copy of the statement of qualifications of said three candidates which accompanied the ballot for the recall election. Said election was held on October 13, 1970; the recall failed to receive sufficient votes.

On April 20, 1971, Mr. Marcheschi was elected to the Board of Education at a regular election for Board offices.

At the November 9, 1971 meeting of the Board, Mr. Marcheschi presented a plan for the Pasadena school system to replace the Pasadena Plan for the integration of the Pasadena Unified School District, which Plan had been approved by this Court in March of 1970. A copy of the third page of the Board's minutes of said date (17,689 of the cumulative pages), is attached hereto as Exhibit D. A copy of said proposal to replace the Pasadena Plan is attached hereto as Exhibit E.

At the Board meeting of December 21, 1971, Mr. Marcheschi moved that said new Pasadena plan be approved and made the action of the Board. Said motion was lost for want of a second. A copy of the second page of the Board's minutes of said date (page 17,712 of the cumulative pages) is attached hereto as Exhibit F.

At the Board meeting of January 9, 1973, Mr. Marcheschi presented a proposed "Neighborhood School/Integrated Zone Plan for Grades K-6." A copy of said plan is attached hereto as Exhibit G. A copy of the fourth page of the minutes of the Board of said date (cumulative page 18,026) is attached hereto as Exhibit H.

A copy of the fifth, sixth, and seventh pages of the Board minutes of the meeting of April 24, 1973 (cumulative pages 18,102 through 18,104), is attached hereto as Exhibit I.

On March 6, 1973, an election for three offices on the Pasadena City Board of Education was held. With regard to support or non-support of the Pasadena Plan for the Integration of the Pasadena Unified School District, as approved by this Court in March 1970, the Board, just prior to this date, divided as follows: Four members (LuVerne La Motte, Ann T. Hight, Albert C. Lowe and Samuel C. Sheats) supported the Plan; one member, Henry Marcheschi opposed the Plan. For the election of March 6, 1973, three persons, Richard Vetterli, Henry Myers, and Lyman W. Newton, who opposed the Plan, ran on a slate against three other persons who supported the plan, incumbents Hight and Lowe, a third person, Benjamin S. Crocker, and others. At

the election of March 6, 1973, Messrs. Vetterli, Myers and Newton won. Attached hereto as Exhibit J are copies of literature which was distributed by or on behalf of said persons during the campaign.

Attached hereto as Exhibit K are copies of the Statements of Qualifications submitted by candidates Vetterli, Myers and Newton with the ballot that went to the voters in the March 6, 1973 election.

In said election of March 6, 1973, Board member Marcheschi supported Vetterli, Myers and Newton. Attached hereto as Exhibit L is a copy of a Vote-O-Gram sent to voters by Mr. Marcheschi during the campaign preceding the election.

Attached hereto as Exhibit M are copies of the sixth, seventh and eight pages (cumulative pages 18,164-18,166) of the minutes of the July 10, 1973 meeting of the Board of Education. The Board meeting of July 10, 1973 was the second meeting of the newly constituted Board following the election of March 6, 1973, its first meeting having been an organizational meeting on July 2, 1973. The persons mentioned in the July 10th meeting as having been appointed are all Caucasians. (The Pasadena Unified School District has positions for two Assistant Superintendents.)

Attached hereto as Exhibit N are copies of pages 46 and 47 of the Pasadena Plan approved by this Court in March 1970.

Attached hereto as Exhibit O are copies of the seventh through nineteenth pages (cumulative pages 18,376-18,388) of the minutes of the December 18, 1973 meeting of the Board.

Attached hereto as Exhibit P are the thirteenth through twenty-first pages (cumulative pages 18,401-18,409) of the minutes of the January 8, 1974 meeting of the Board.

Attached hereto as Exhibit Q is a copy of the Introduction to the Teachers' Guide for the book, "As I Grew Older," referred to in the minutes of the meeting of January 8, 1974, Exhibit P attached hereto. With the exception of the "Notes" on page 6,

the Introduction in "As I Grew Older" is identical with that in "Face to Face," the other book referred to in Exhibit P.

Attached hereto as Exhibit R are copies of the third through eighth pages (cumulative pages 18,415-18,420) of the minutes of the January 15, 1974 meeting of the Board.

/s/ JAMES E. SPANGLER, JR.,
James E. Spangler, Jr.

Subscribed and sworn to before me this 19th day of February, 1974.

/s/ ALICE R. FUCHS,
Notary Public.

AFFIDAVIT OF SAMUEL C. SHEATS IN OPPOSITION TO MOTION BY PASADENA CITY BOARD OF EDUCATION.

Filed 23 February 1974.

SAMUEL C. SHEATS, being first duly sworn, deposes and says that:

On September 28, 1971, I was duly appointed to the Pasadena City Board of Education, and have continued to serve as a member thereof ever since.

As the only black member of the Pasadena City Board of Education, I strongly disagree with the other four members of that board, who seek (1) relief from this court's judgment, (2) dissolution of this court's injunction, (3) termination of this court's continuing supervision over the actions of said board, and (4) alternatively, modification of plan for integration dated February 18, 1970, and pray that this Court will deny all of the requested relief, as not in the best interest of the Pasadena Unified School District.

My reasons for asking this court to do so are as follows:

Since July 2, 1973, when, following their election on March 6, 1973, three (3) of the present board members, constituting a majority of the board, took office for the first time, I have been gravely concerned about the legality of some of the actions of the board.

For example, between July 2, 1973, and July 10, 1973, no public meeting of the board was scheduled, and none was held. Nevertheless, at the meeting of the Board on July 19, 1973, a majority of the members adopted an extensive plan of reorganization of the Pasadena Unified School District, under which the board appointed an acting assistant superintendent for elementary and secondary education, an acting assistant superintendent for personnel and support services, and an acting administrative

director of elementary curriculum, despite my voting against said appointments, and strongly objecting that (1) they were violative of the Ralph-Brown Act (Govt. C. Sec. 54958), since the board's decision to make them was not arrived at in a public meeting; and (2) these appointments were not made in conformity with the Pasadena Plan for Integration, pursuant to the 1970 judgment of this court.

That, further, a majority of the board, after the meeting of July 10, 1973, and before the meeting of July 31, 1973, made further administrative appointments in the form of principals of Wilson Junior High School and Marshall Fundamental School, also in violation of the Ralph-Brown Act, and the Pasadena Plan for Integration.

Specifically, on July 10, 1973, July 31, 1973, and on other dates, I objected to the board that in making the aforesaid appointments to administrative positions it (1) failed to first advertise them, (2) failed to receive applications for said positions from other than those whom they appointed (3) failed to submit the applications for evaluation and determination by a committee appointed for that purpose, (4) failed to have said committee recommend to the superintendent the appointment of any one of five such applicants for each position, (5) failed to receive from the superintendent recommendations for such appointments, and (6) failed to take affirmative steps to urge minority applicants to apply for all of said positions, as required by the Pasadena Plan for Integration and the rules and regulations of Pasadena Unified School District.

That none of the aforesaid administrative appointees is a member of a non-white minority group, so that said appointments were not inconsequential violations of the Pasadena Plan for Integration.

That despite my protests to the board on July 10, 1973, July 31, 1973, and subsequent dates, that it was acting contrary to the requirements of the Pasadena Plan for Integration, and that its intentions in this regard appeared to be hostile to the

effective continuation of the Pasadena Plan, the majority of the board refused to accept or even seriously consider such protests.

Indeed, the majority of the Board determined to appoint a committee to suggest ways of modifying the Pasadena Plan for Integration, and particularly to seek ways of returning Pasadena Schools to the "neighborhood concept", and to reduce what they continually called "forced busing"; I was not permitted to discuss with the Board the constituency of said committee, or serve on it, or in any other way have meaningful access to or in put with it.

As a further step in its determination to attack the Pasadena Plan, the Board decided by a vote of 4-1, with me voting "no", to employ private legal counsel, and to pay it as compensation for drafting a petition to modify the Pasadena Plan, the sum of $50,000.

That during the course of the proceedings leading to the formation of the committee to modify the Pasadena Plan for Integration, of a separate committee to obtain legal counsel, and the actural obtaining of legal counsel, although I am the only black member of the Board, and the only attorney on it, I was never consulted, advised or in any manner made privey to any meaningful discussion, nor was I permitted to attend any meeting of the majority of the Board where discussions were had relative to the appointment of the Pasadena Plan Modification Committee, relative to the employment and compensation of counsel, or any other such discussions before the amendatory plans were approved or adopted, except the July 10, 1973 meeting, nor have I subsequently been able to have effective imput with the majority of the Board with respect to these matters.

That prior to July 2, 1973, the other Board Members consistently announced their opposition to the Pasadena Plan, and their intention to destroy it. The President of the Board made definitive statements in this regard on October 26, 1971 and November 9, 1971. Other members of the board repeatedly announced during their campaign for election in the latter part of 1972 and early 1973 that they intended to abrogate the Pasadena Plan as a first order of business.

By reason of the above premises I am informed and believe and on such information and belief allege, that it is the intention and design of the majority of the Board to have a negative impact upon integration in the Pasadena Unified School District, and that it is their ultimate intention to seek a return to segregated schools in this school district.

As a minority board member, I am extremely apprehensive about the possibility of the majority of the board accomplishing such purpose, and about the grave injury such accomplishment would inflict upon the children of this school district, and especially blacks and other minority children.

Accordingly, and in as much as counsel representing the Board majority does not represent me as a racial and numerical minority of the board, I ask this court to formally recognize that my status in these proceedings is different from that of the other board members, and accord me all of the rights and privileges of any other party whose interests are adverse to those of the majority of the board, including the right for me to be represented by separate legal counsel.

SAMUEL C. SHEATS.

Subscribed and sworn to before me this 23rd day of February, 1974.

.....

Notary Public in and for said County and State.

TRIAL STIPULATION.

Filed 25 February 1974.

It is stipulated and agreed by and between all of the parties to the above action, through their respective counsel of record, in connection with the hearing on the motion by Pasadena City Board of Education for (1) Relief from the Court's Judgment, (2) Dissolution of the Court's Injunction, (3) Termination of the Court's Continuing Supervision over the Actions of said Board and (4) Alternatively, for Modification of Plan for Integration dated February 18, 1970, now scheduled for hearing on Monday, February 25, 1974, in the courtroom of the Honorable Manuel L. Real, Judge Presiding, as follows:

1. No exception will be taken by any of the parties to the right of the Court to consider and pass upon defendant's said motion;

2. The Pasadena Plan enacted pursuant to the Order of this Court dated January 22, 1970 has been implemented;

3. Plaintiffs and Plaintiff-Intervenor are presently aware, on the basis of the discovery thus far conducted, of no violations of the Pasadena Plan up to and including the present, save that it is the contention of Plaintiffs that the appointment of the two Assistant Superintendents and the Director of Elementary Curriculum on July 10, 1973, the appointment of the Principals of the Wilson and Fundamental Schools on July 31, 1973, the failure of the Board to have the Black Task Force and the Mexican American Task Force for the school year 1973-74, the establishment of the Fundamental School, and the effect of the Fundamental School on the sending schools are each violations of said Plan.

4. No objections will be registered to the introduction of any of the items of documentary evidence listed on exhibits which

will be attached hereto prior to the time of the hearing on grounds of authenticity or that said documents are not originals.

Dated: February 23, 1974.

A. L. WIRIN,
FRED OKRAND,
JOHN D. O'LOUGHLIN,
JILL JAKES,

By /s/ FRED OKRAND,
Fred Okrand,
Attorneys for Plaintiffs.

J. STANLEY POTTINGER,
WILLIAM D. KELLER,
JAMES STOTTER II,
BRIAN K. LANDSBERG,
SAMUEL J. FLANAGAN,

By /s/ SAMUEL J. FLANAGAN,
Samuel J. Flanagan,
Attorneys for Plaintiffs-Intervenor.

PAUL, HASTINGS, JANOFSKY & WALKER,
LEE G. PAUL,
ROBERT G. LANE,
PETER D. COLLISSON,

By /s/ LEE G. PAUL,
Lee G. Paul,
Attorneys for Defendant Pasadena City Board of Education.

TRIAL STIPULATION.

Filed 25 February 1974.

It is stipulated and agreed by and between all of the parties to the above action, through their respective counsel of record, in connection with the hearing on the motion by Pasadena City Board of Education for (1) Relief from the Court's Judgment, (2) Dissolution of the Court's Injunction, (3) Termination of the Court's Continuing Supervision over the Actions of said Board and (4) Alternatively, for Modification of Plan for Integration dated February 18, 1970, now scheduled for hearing on Monday, February 25, 1974, in the courtroom of the Honorable Manuel L. Real, Judge Presiding, as follows:

1. No exception will be taken by any of the parties to the right of the Court to consider and pass upon defendant's said motion;

2. The Pasadena Plan enacted pursuant to the Order of this Court dated January 22, 1970 has been implemented;

3. Plaintiffs and Plaintiff-Intervenor are presently aware, on the basis of the discovery thus far conducted, of no violations of the Pasadena Plan up to and including the present, save that it is the contention of Plaintiffs that the appointment of the two Assistant Superintendents and the Director of Elementary Curriculum on July 10, 1973, the appointment of the Principals of the Wilson and Fundamental Schools on July 31, 1973, the failure of the Board to have the Black Task Force and the Mexican American Task Force for the school year 1973-74, the establishment of the Fundamental School, and the effect of the Fundamental School on the sending schools are each violations of said Plan.

4. No objections will be registered to the introduction of any of the items of documentary evidence listed on exhibits which

will be attached hereto prior to the time of the hearing on grounds of authenticity or that said documents are not originals.

Dated: February 23, 1974.

A. L. WIRIN,
FRED OKRAND,
JOHN D. O'LOUGHLIN,
JILL JAKES,

By /s/ FRED OKRAND,
Fred Okrand,
Attorneys for Plaintiffs.

J. STANLEY POTTINGER,
WILLIAM D. KELLER,
JAMES STOTTER II,
BRIAN K. LANDSBERG,
SAMUEL J. FLANAGAN,

By /s/ SAMUEL J. FLANAGAN,
Samuel J. Flanagan,
Attorneys for Plaintiffs-Intervenor.

PAUL, HASTINGS, JANOFSKY & WALKER,
LEE G. PAUL,
ROBERT G. LANE,
PETER D. COLLISSON,

By /s/ LEE G. PAUL,
Lee G. Paul,
Attorneys for Defendant Pasadena City Board of Education.

Volume 4, Page 689.

ARGUMENT OF COUNSEL.

Mr. Lee Paul, for the Defendant Pasadena
City Board of Education.

1 March 1974.

Mr. Paul: Your Honor, the Pasadena plan, as your Honor approved in March of 1970, which is the date here, I don't believe, your Honor, that the draftsmen or this court on that occasion when the plan was approved ever considered the provisions of this plan which are now relied upon by the court to say that we have been on notice throughout that we had to conform constantly and continually with the no majority of any minority provision and that that provision relating to any school in 1970 was intended by the court to have application to any school in 1974.

The Court: Mr. Paul, I can assure that I may not know what the writers of this plan had in mind when they submitted it to me because I haven't asked them why. And I think you have to ask them why to know why they do things. But I can assure you that I studied this plan and I knew the plan. I knew what I thought it was going to accomplish. And I thought that it was going to accomplish, if executed in good faith, that Pasadena would never be back in this courtroom again. Now, that meant to me that at least during my lifetime there would be no majority of any minority in any school in Pasadena.

1974 EXHIBITS.

PLAINTIFFS' EXHIBIT I.

MINUTES OF THE SPECIAL MEETING
PASADENA CITY BOARD OF EDUCATION
PASADENA UNIFIED SCHOOL DISTRICT

TUESDAY, JANUARY 27, 1970.

Meeting No.	Page No.
No. 31	17,275

The Pasadena City Board of Education, acting as the Governing Board of the Pasadena Unified School District, met in Special Session on Tuesday, January 27, 1970, at its regular place of meeting, 351 South Hudson Avenue, Pasadena, California.

The President called the meeting to order at 2:45 p.m.

The following members were present: Mr. LuVerne LaMotte, President, Mr. Albert C. Lowe, Vice President, Dr. Joseph J. Engholm, Mr. Bradford C. Houser, Mr. John T. Welsh.

The following administrative officers were present:

Dr. Ralph W. Hornbeck, Superintendent of Schools, Secretary to the Board of Education; Mr. Joseph P. Zeronian, Acting Administrative Assistant to the Superintendent; Miss Grace M. McFarland, Assistant Superintendent for Elementary Education; Mr. Ramon C. Cortines, Assistant Superintendent for Secondary Education; Mr. A. C. Zemba, Acting Business Manager; Dr. Dean S. Rasmussen, Administrative Director, Instructional Services.

Purpose of Meeting.

The Special Meeting was called to discuss and take action on possible appeal regarding: Nancy Anne Spangler, et al., Plaintiff, United States of America, Plaintiff-Intervenor vs. Pasadena City Board of Education, et al., Defendants.

Motion and Action Lost.

Mr. Welsh Moved that an appeal be made, that the office of County Counsel be requested to handle the appeal, with the understanding that if they are unable to handle the case the appeal would still be made. The motion was seconded by Mr. Houser and by a vote of 2-3 the motion was defeated. (Mr. Welsh and Mr. Houser voted "Aye", Mrs. LaMotte, Mr. Lowe and Dr. Engholm voted "Nay".)

PLAINTIFF'S EXHIBIT III.

[A handbill]

The Committee* for a BETTER WAY Endorses . . .

[Photo]	[Photo]	[Photo]
Frank C. Crowhurst	Richard W.	Henry Marcheschi
Financial	Millar, Jr.	President of Manu-
Consultant	Attorney at Law	facturing Company

3 Fathers / 10 Children / Vital Concern

There is a better way to educate our children . . . to unite our community and to lower taxes.

Join this campaign! Tell your friends to vote YES on recall and cast their ballots for Crowhurst, Millar, and Marcheschi. Send your contribution today to help win this important election.

Meet the Candidates at—

Sierra Mesa School .....Wednesday, Sept. 16, 8 P.M
Washington Jr. High.....Thursday, Sept. 17, 8 P.M.
Eliot Jr. High .....Wednesday, Sept. 23, 8 P.M.
Allendale School .....Thursday, Sept. 24, 8 P.M.
McKinley Jr. High .....Wednesday, Sept. 30, 8 P.M.
Pasadena High School .....Wednesday, Oct. 7, 8 P.M.
John Muir High .....Friday, Oct. 9, 8 P.M.

The Committee for a BETTER WAY, P.O. Box 5387
Pasadena, California 91107 Telephone 449-0515

Robert H. Scott, Chairman

* The Committee combines members of the Pasadena Appeal and Recall Committees.

STOP Forced Busing, CUT School Taxes,

Better Education in *every* school.

Vote YES on Recall of School Board

Election — October 13

Elect
CROWHURST — MILLAR — MARCHESCHI
for a Better Way

STOP FORCED BUSING

CUT SCHOOL TAXES

BETTER EDUCATION in every school!

VOTE YES On Recall of School Board
Election October 13

ELECT
CROWHURST — MILLAR — MARCHESCHI
for a Better Way

PLAINTIFFS' EXHIBIT IV.

[A handbill]

Vote YES On Recall

Elect Crowhurst — Millar — Marcheschi

Endorsed by the Pasadena Recall Committee

CROWHURST FILES IN RECALL

Frank C. Crowhurst, a financial consultant, is seeking the seat now held by Dr. Joseph Engholm if Engholf is recalled from the Pasadena Unified School District board Oct. 13.

Crowhurst, 45, headed up the petition drive which led to the recall election being called against three incumbent members of the Board of Education.

He is one of three candidates endorsed by the Committee for a Better Way, containing members from both the Pasadena Appeal Committee and the Pasadena Recall Committee. The other candidates are Richard W. Millar Jr. and Henry Marcheschi.

Crowhurst received a bachelor of science degree in chemical engineering from the University of Southern California and also attended Stanford University Graduate School of Business. He is a member of Tau Beta Pi, honorary scholastic engineering society. During World War II, he served as a naval officer.

The candidate and his wife, Jan, have two children attending Pasadena schools and a son at USC. They live at 1585 Riviera Drive, Pasadena.

Among his civic activities have been service on the YMCA Management Committee, YMCA division leader of membership drive, and the Pasadena Civic Auditorium Improvement Committee. He also is a past president of Don Benito PTA and is a former Cubmaster.

"Although I had not originally intended to be a candidate, I agreed to run because members of both the recall committee and

the appeal committee strongly urged me to continue my fight against the incumbents by becoming a candidate," Crowhurst commented.

Among his aims and goals, he said, are "to re-establish neighborhood schools and return to the traditional concept of local control: to lower taxes by ending forced busing, by reducing high costs of school administration and by eliminating inadequate educational programs, and to support the Appeal Committee in its request to be heard before the U. S. Supreme Court on the issues of neighborhood schools."

Crowhurst said he hopes "to promote basic principles of education, reading, reading comprehension, writing, arithmetic and appreciation of our American way of life.

R. W. MILLAR RUNS FOR SCHOOL POST

Richard W. Millar Jr., is seeking the seat on the Pasadena Unified School District's board now held by Mrs. LuVerne LaMotte, if she is recalled Oct. 13.

Millar, 32, is an attorney who is with the Los Angeles law firm of Iverson, Yoakum, Papiano and Hatch.

He was active on the Pasadena Appeal Committee, which now has merged with the Recall Committee into the Committee for a Better Way, and is one of three candidates endorsed by the combined group. The others are Henry Marcheschi and Frank C. Crowhurst.

Millar and his wife, Nancy, live at 1400 Harding Ave., Pasadena. They have three children.

The recall candidate is a member of the Los Angeles County Bar Association, the State Bar of California and the American Bar Association. He also is a member of the Juvenile Court Indigent Defense Panel.

Among his community activities are service on the advisory board of the Pasadena Head Start Amigos, board of managers

of the Los Angeles YMCA Camp Branch and membership in Town Hall of California.

"Basically I am running because I feel that the present board has failed to adequately represent its entire constituency. The most obvious and most glaring example of this failure is, I believe, the board's decision not to appeal Judge Real's order and allow a higher court to thoughtfully review the case," Millar said.

"If the board had appealed, the citizens would at least have had the satisfaction of knowing that the highest possible tribunal had given its consideration to Pasadena's pressing problems.

"A more subtle example of the board's failure to represent the constituency is, I believe, the new plan that it has adopted," he added.

"Although the plan provides massive expenditures for items such as transportation, it is woefully deficient in basic education matters. The majority of our citizens have been complaining for years that Pasadena has failed to provide a quality education and the new plan assumes that mere movement of students will cure this deficiency.

"It is vitally important that public education in Pasadena be immediately upgraded to insure, not equal opportunity for

[Concluding lines of test are illegible.]

Henry Marcheschi . . . recall candidate

NEW RECALL CANDIDATE LISTS GOALS

"Racial harmony and superior education for every child without destroying neighborhood schools" is one of the goals of Henry Marcheschi, a candidate to succeed Albert C. Lowe if he is recalled from the Pasadena Unified School District board Oct. 13.

Marcheschi, 40, lives at 3745 Startouch Drive, Pasadena, with his wife, Leora, and their four children.

Born in Chicago shortly after his parents immigrated here from Italy, Marcheschi says he experienced prejudice firsthand as a young boy, when he frequently was subjected to derogatory terms referring to his ancestry. He did not even learn English until he was 5, the candidate, who now heads his own company, commented.

Company Founder.

Marcheschi is president and founder of American Telecommunications Corp. of El Monte, which manufactures telephone equipment, and is vice president of the Strategic Industries Association, a national association of small defense-aerospace companies which works closely with congressional committees. He recently was appointed to the Advisory Council of the Small Business Administration.

He received a bachelor of science degree in mechanical engineering from the University of Illinois, and also took graduate level work in management finance and economics.

As an Air Force officer, he received a Commendation Medal for "outstanding and especially meritorious service."

Scout Official.

Among his civic activities have been serving as scout committee chairman for the pack and troop of Post 388, co-chairman of the John Marshall School Banquet and president of his church choir.

Marcheschi said he believes in "tearing down all artificial barriers creating deliberate segregation, resisting coercive government action dictating arbitrary 'racial balance' by every possible means within the law, greater parent control over school curriculum on a community-by-community basis and reduced taxes, with more education at less cost."

He added that "involuntary integration is self-defeating. It will not work! There is a better way."

PLAINTIFFS' EXHIBIT V.
[A campaign newspaper]

Bulk Rate
U.S. Postage
PAID
Permit No. 740
Pasadena, Calif.
91103

EXTRA

Vol. 1, No. 1 Pasadena, California October 1970

CANDIDATES PLEDGE TO END FORCED CROSS-TOWN BUSING

Candidates Explore New Teaching Methods

[Photo]

JUDGE REAL DECISION NOT LAW OF LAND SAY PRESIDENT NIXON, ATTORNEY GENERAL

"Forced cross-town busing and arbitrary racial balance quotas are 'NOT' the law of the land," says Richard W. Millar, Jr., Attorney and school board candidate in the October 13 recall election. "Claims by school board incumbents that 'it's not right to recall board members for obeying the law' are purposefully misleading and totally false," Millar stated. "Judge Real's decision simply is not in concert with those of a majority of other courts across the country, and the failure of the present board to appeal the lower court's racial balance decision was a tragic mistake."

Millar's assertations are backed up by Attorney General John N. Mitchell. Before the Senate Committee on Equal Educational Opportunity on August 13, 1970, Mitchell stated: ". . . there remain basic practical problems which the courts have

[Lines of text are illegible.]

balance must be achieved in the schools." Mitchell went on to say, "My study of the cases leads me to believe that the Fourteenth Amendment DOES NOT incorporate the concept of racial balance." (emphasis added)

President Nixon has also made clear his strong opposition to forced busing and arbitrary racial balance quotas. In his March 24, 1970, statement on school desegregation, the President stated: "I have consistently expressed my opposition to any compulsory busing of pupils beyond normal geographic school zones for the purpose of achieving racial balance . . . demands that an arbitrary 'racial balance' be established as a matter of fact misinterpret the law and misstate the priorities."

"Let me make one thing absolutely clear," Millar states, "Not only will a new school board be able to appeal the Real decision, but we have a firm commitment from the Justice Department they will be on our side in preparing a new plan which restores neighborhood schools in Pasadena."

RETURN TO NEIGHBORHOOD SCHOOL CONCEPT PROMISED BY NEXT YEAR

"Neighborhood schools will be restored in the Pasadena Unified School District, hopefully by January, 1971, certainly by September, 1971." So pledge Frank C. Crowhurst, Richard W. Millar, and Henry Marcheschi, school board candidates in the October 13 recall election.

The candidates will develop a new plan for the District Court immediately upon taking office. With details to be worked out with the Justice Department prior to presentation, the candidates say the new plan will be based upon the following principles:

1. Every school will be made a good school, regardless of ethnic balance "We reject out-of-hand the philosophy that a minority school must be a bad school" say the candidates.

2. Children will go to school where they live—in their neighborhood schools. Boundaries will be determined solely on the basis of school size and the natural geographic area which the school serves.
3. Minority children will be encouraged and assisted to attend schools outside their neighborhood IF THEY VOLUNTARILY DECIDE TO DO SO.
4. As suggested by President Nixon, new innovative methods will be implemented to promote inter-racial harmony and cultural exchanges such as programmed sharing of educational experiences with children from other schools.
5. Minority communities will be given a much greater voice, and therefore greater responsibility, in determining the educational destinies of their children. "The present forced busing plan not only costs over $1,000,000 that should be used for education, but it will harm the minority child most," say Crowhurst, Millar and Marcheschi. "It is precisely because we are dedicated with every ounce of our being to true equal educational opportunity and true integration of all races that we seek office." Crowhurst went on to say, "We want every parent to know the new plan will be implemented with caution and restraint to avoid any further disruptive influence on the education of our children."

[Photo]

Seeking information on a "better way" to help educate the students in Pasadena the three candidates, Henry Marcheschi, Richard W. Millar and Frank C. Crowhurst are taking time during the campaign to see what other schools in the area are doing. Here they inspect a new instruction aid used in a nearby school district that has helped to raise reading levels by 1.4 grade levels in four months.

CROWHURST-MILLAR-MARCHESCHI

Endorsed by Better Way Group

The Crowhurst-Millar-Marcheschi candidacy is supported by "The Committee for a Better Way," which is made up of members from both the Pasadena Appeal and Pasadena Recall Committees.

"We are supporting a slate of candidates," states Robert H. Scott, Committee Chairman, "because it is absolutely necessary to insure a new board majority. The present board is committed to the present forced busing plan, regardless of what higher courts may rule. To end forced busing, it is absolutely necessary to elect a new board majority."

Over 23,000 Pasadena School District residents signed the recall petition initiating the recall election to be held on Tuesday, October 13, 1970.

For a Better Way

Phone 449-0515

•

Send Donations To:

Robert H. Scott, Chairman
Committee for a Better Way
P. O. Box 5387
Pasadena, California 91107

PLAINTIFFS' EXHIBIT X.

Minutes of the Regular Meeting — Page No.
April 24, 1973 — 18,102

* * * * *

Mr. Marcheschi left his seat at 7:25 p.m.

* * * * *

Mr. Marcheschi returned and took his seat at 9:20 p.m.

Motion and Action
Ameliorate Disparity

Mr. Sheats MOVED that this school district recognizes that there is grave and urgent community concern about the extent of the disparity between performances of the Black and Spanish surnamed students with that of the Anglo-Caucasian student, as indicated by reason of the test scores, and that this district adopt as its first priority the amelioration of this disparity. The MOTION was seconded by Mr. Lowe and by a vote of 4-0, with Mr. Marcheschi abstaining because he had just returned to his seat, the MOTION was approved and made the action of the Board. Mr. Marcheschi indicated that he would be listening to the tape on the preceding discussion before he casts his vote.

PLAINTIFFS' EXHIBIT XI.
[A campaign letter]

Vetterli-Myers-Newton Very Much Needed for the Pasadena School Board!

Dear Friend:

On March 6, 1973 the fate of Pasadena and it's Public School System will be on the line.

Your financial support is needed *now* to help elect the anti-forced-busing slate of DR. RICHARD VETTERLI, DR. HENRY S. MEYERS, JR. and MR. LYMAN NEWTON to the Pasadena School Board.

The majority of the current School Board has comsistently acted against the wishes of the people. They publicly voiced their opposition to the neighborhood school proposition, even though two-thirds of the citizens voted *for* Proposition 21 and *against* forced busing.

We must reverse the current flight of those families with school-age children to other areas. The social and economic impact on the Pasadena Area is being felt by businessmen, homeowners and taxpayers alike.

VETTERLI, MYERS and NEWTON are pledged to restoring neighborhood schools, eliminating excessive educational experiments on our children, restoring discipline in the classroom and reducing administrative overhead which burdens us all, and especially those who have passed their working years.

Knowing that you share concern for the future of Pasadena Schools and our community, we ask your financial support for the election of VETTERLI, MYERS and NEWTON. We need your contribution *now*. Our opposition is organized and has large financial support from various pressure groups. We have excellent candidates, but they cannot be elected without *money*.

Please send your contribution to The Committee to Elect VETTERLI, MYERS and NEWTON, P. O. Box 5974, Pasadena, Calif. 91107. Thank you.

Sincerely,

/s/ PERRY OSBORNE,
Perry Osborne,
Finance Chairman.

P.S. Great News ! ! ! You may deduct contributions to qualified candidates or a committee organized exclusively to support candidates for a local elective office. If you file a joint return you may deduct up to $200. on your California income tax return. On your Federal income tax return you may deduct up to $100. or take a credit directly against your tax up to one-half of your political contribution with a maximum credit of $25.00. Each one of our candidates, as well as the Committee to Elect Vetterli-Myers-Newton are qualified for the above deductions or credit.

P.O. Box 5974—Pasadena, Calif.—449-0515—
Gene Wiberg, Chairman

PLAINTIFFS' EXHIBIT XII.
[A campaign newspaper]

Bulk Rate
U. S. Postage
PAID
Permit No. 39
Pasadena, Calif.

School Board Election Tuesday, March 6th

EXTRA

Vol. 1, No. 3 Pasadena, California February 20, 1973

CANDIDATES PLEDGE TO END FORCED BUSING—RESTORE QUALITY EDUCATION IN THE PASADENA SCHOOL SYSTEM

[Photo] [Photo] [Photo]

Dr. Richard Vetterli Dr. Henry S. Myers, Jr. Lyman Newton

Three Concerned Citizens Candidates for the Pasadena School Board Dr. Richard Vetterli, Dr. Henry S. Myers, Jr., and Lyman Newton are deeply concerned with the progressive deterioration of the Pasadena School System.

They are determined to work endlessly, Within the Law, to stop forced busing of students. They believe the courts will approve a properly conceived student assignment plan which provides strong motivations toward voluntary integration while restoring the fundamental right of white and minority children to attend their neighborhood schools, if they so desire.

Restoration of neighborhood schools, they believe, is an absolute must if we are to end the precipitous decli[illegible] of white enrollment in our schools and maintain an ethnically stable and viable multi-racial community. They are pledged to fight increases in school taxes and, most important of all, to restore quality education and equal educational opportunity in the Pasadena Unified School District.

STOP FORCED BUSING
VOTE for Vetterli—Myers—Newton

PLAINTIFFS' EXHIBIT XIII.
[A handbill]

STAR-NEWS

Page 15—Pasadena, Calif., Thursday, Jan. 4, 1973

[Photo]	[Photo]	[Photo]
Dr. Richard Vetterli	Dr. Henry Myers	Lyman W. Newton
. . . for new appeal	. . . freedom of choice	. . . very much needed

THREE ANTI-SCHOOL BUSING CANDIDATES FILE FOR SEATS

Three men campaigning as a team to stop forced school busing in Pasadena filed Wednesday for separate seats on the city school board.

Dr. Richard Vetterli, Lyman W. Newton and Dr. Henry Myers filed for office numbers one, five and three, respectively.

At a press conference they said their primary goal would be to capture three seats in the March 6 school board primary election. Once elected, they said they would attempt to stop forced busing and return students to neighborhood schools.

The three will campaign together under the banner "Committee to Elect Vetterli, Myers and Newton," and the slogan "Very Much Needed."

"We may disagree on the mechanics but we're in complete agreement on what to do," said Myers, who is head of research operations for C. F. Braun & Co., in Alhambra.

Newton, who is manager for the west coast office of Baird-Atomic, Inc., outlined the four main goals of the three candidates:

(1) Stop forced busing of students and return them to neighborhood schools.

(2) Return order and discipline to schools.

(3) Emphasize quality education and meet needs of particular students.

(4) Maintain fiscal responsibility with the school district budget.

Asked if forced school busing to attain integration could be legally stopped, Vetterli, an associate professor of political science at Pasadena City College replied: "The whole temper of the country is turning against the practice and the feeling in Washington we feel will be reflected in the Supreme Court."

Specific Ideas

Vetterli said he believes the school district would be allowed to submit a new court appeal. He added that the three had specific ideas on how to redesign certain aspects of the school district but they would rather "hold them in abeyance."

Anti-Busing Trio Enters Campaign

Myers said a "freedom of choice plan looks like a good idea to us." He did not spell out specifics of the plan and rejected a comparison between the candidates' plan and that of Henry Marcheschi's plan for schools. Marcheschi is a school board member not up for reelection.

The three were the fourth, fifth and sixth candidates to file for three school board offices.

Benjamin Crocker, a lawyer; Frank Fleck, a stockbroker, and Vetterli have all filed for office number one. That office is now held by Mrs. LuVerne LaMotte, president of the school board. As of late Wednesday afternoon, she has not filed for the office.

Incumbent Files

Mrs. Ann T. Hight, a housewife, and Newton have filed for office number five. Mrs. Hight is the incumbent.

Myers has filed for office number three. Albert Lowe, the incumbent, had not filed for the office as of late Wednesday. Filing for the offices will close Friday.

Vetterli grew up in the San Gabriel Valley and attended Alhambra High School. He has a BA from Brigham Young University, a graduate certificate in public administration from the University of Utah and Masters and PhD degrees from the University of California.

He was administrative assistant and public relations analyst for the Utah Water and Power Board. He also served as vice-president and member of the board of directors of a concessionary firm in San Jose. He presently serves as vice-president of World Wide Villas.

He has lectured extensively to civic and religious groups. He has authored four books, the latest, "The Socialist Revolution" is a study of totalitarian systems.

Dr. Vetterli and wife, Deen, a former Los Angeles school teacher, have a pre-school age son.

"The entire country will be watching the March 6th election," said Dr. Vetterli. "The tragedy of Pasadena's school system must be reversed. Dr. Myers, Mr. Newton and I are dedicated to returning high education standards to our city; not only for the future of our own community, but as an example to similar communities throughout the nation."

Newton, who is 36, has lived seven years in the San Rafael area of Pasadena. He and wife, Gloria, have three children, Mari, 11, Mark, 9, and Lori, 6.

Only Lori attends a public school in the Pasadena School District. The other two children attended public schools until the busing issue forced them out of their neighborhood, said Newton.

Newton stressed his goal of reunifying Pasadena. "This can be accomplished through the reuniting of the neighborhood by eliminating forced busing; as voiced by a two-to-one margin on Proposition 21 in last November's election," he said.

"We must return order and discipline to our schools by emphasizing individual responsibility. Our classrooms must em-

phasize quality education by meeting the particular individual requirements of each student and not a mass movement of bodies onto society," he said.

These actions, Newton said, will encourage new families to relocate in Pasadena. New families would spread the tax load, stabilize real estate values and eliminate the flight of citizens who feel threatened.

Myers, a resident of Pasadena for 20 years, earned a chemical engineering degree from Penn. State University and a Master of Science and Doctor of Philosophy degrees.

He has authored more than 20 technical papers published in scientific journals and was awarded several patents, he said.

He and wife, Elizabeth, have four children. One of them, Tricia, 19, was valedictorian of Pasadena High School last June.

Dr. Myers believe that forced busing is causing "incalculable" harm to the public school's system and hurting race relations. He believes discipline, respect and common courtesy must be restored to the classroom. He said violence intimidation and fear must be eliminated.

Vetterli—Meyers—Newton

Very Much Needed

Committee to Elect Vetterli—Myers—Newton
Box 5974, Pasadena, California, 91107
Gene Wiberg, Chairman
Phone 449-0515

PLAINTIFFS' EXHIBIT XIV.

The following Candidate's Statement of Qualifications has been filed with the Registrar of Voters Office Pursuant to Sections 10012.5 and 10012.6 of the Elections Code of the State of California. All candidates had the opportunity to submit such a statement. The cost of preparation, handling and mailing is paid for by candidates submitting statements. This enclosure does not contain statements for all candidates. The complete list of candidates appears on the sample ballot.

Statement of Qualifications of
DR. RICHARD VETTERLI

Candidate for Governing Board Member
Pasadena Unified School District Office No. 1

March 6, 1973

Occupation: Associate Professor of Political Science, Pasadena City College.

Education: BA, Brigham Young University, Graduate Certificate in Public Administration, University of Utah, Masters Degree and Dr. of Philosophy Degree from the University of California.

Family: Married to Deen Vetterli, former Los Angeles School teacher. Father of one pre-school age son.

Experience: Educator, businessman, writer and lecturer.

Platform: End Forced Busing. The present "Pasadena Plan" is responsible for white families leaving the school district. This destroys our tax base, our schools and our community.

Promote Fiscal Responsibility. Funds can be better spent by concentrating on education rather than wasteful social experiments and inflated administrative and business costs.

Hold the Line on Taxes. We have reached the saturation point. If taxes are increased in Pasadena, many of our elderly citizens with fixed incomes will literally lose their homes. Current funds can be better expended.

Return to Constructive Discipline on Our Campuses. Children can not learn in an atmosphere of fear and intimidation. Safety of students is primary.

Return to Basic Education. Basic educational skills must be reintroduced into the school system. Our children are being cheated. Our once-fine school district has become an academic disgrace.

PLAINTIFFS' EXHIBIT XV.

The following Candidate's Statement of Qualifications has been filed with the Registrar of Voters Office pursuant to Sections 10012.5 and 10012.6 of the Elections Code of the State of California. All candidates had the opportunity to submit such a statement. The cost of preparation, handling and mailing is paid for by candidates submitting statements. This enclosure does not contain statements for all candidates. The complete list of candidates appears on the sample ballot.

Statement of Qualifications of

LYMAN NEWTON

Candidate for Governing Board Member

Pasadena Unified School District Office No. 5

March 6, 1973

Age: 36

Occupation: Sales Executive.

Education: Bachelor of Arts Degree—University of Washington.

Personal: Married 13 years.

Father of three children—one in Pasadena City Schools and two in The Chandler School. He and his wife, Gloria, have lived in the San Rafael section for the past seven years. In his youth he was an Eagle Scout.

Interests: Gardening. Treasurer of the Pasadena Southwest Little League Board of Directors. Employed by Baird-Atomic, Inc., where he manages their West Coast office responsible for all Nuclear Medical Instruments sales.

Issues: Newton will:

Eliminate Forced Busing as mandated by the vote of Proposition 21 in last November's election, thereby reuniting the neighborhood and consequently the city.

Return Order and Discipline to our schools by emphasizing individual responsibility.

Emphasize Quality Education by meeting particular student needs rather than a mass movement of bodies onto Society.

Work Within the Allotted School Budget, concentrating all these available dollars toward a superior educational system. This would eliminate the further flight of citizens who currently find their situation threatened either by unstable real estate values or unfair tax loads.

PLAINTIFFS' EXHIBIT XVI.

The following Candidate's Statement of Qualifications has been filed with the Registrar of Voters Office pursuant to Sections 10012.5 and 10012.6 of the Elections Code of the State of California. All candidates had the opportunity to submit such a statement. The cost of preparation, handling and mailing is paid for by candidates submitting statements. This enclosure does not contain statements for all candidates. The complete list of candidates appears on the sample ballot.

Statement of Qualifications of

HENRY S. MYERS, JR.

Candidate for Governing Board Member

Pasadena Unified School District Office No. 3

March 6, 1973

Occupation: Chemical Engineer.

Education: BS, MS, PhD, Penna. State University.

Resident of Pasadena for 20 years. Chemical engineer, BS, MS, PhD, Pennsylvania State University. Head of Research Operations, C F Braun & Co. Author of more than 20 technical papers and several patents. Active in school board campaigns for many years in behalf of neighborhood school candidates. Father of four children, all of whom have attended Pasadena schools.

Dr. Myers believes

* *Forced Busing* has been a total failure. It is seriously harming both our educational system and race relations. It should be eliminated as rapidly as possible.
* *Discipline, Respect, and Common Courtesy* must be restored to the classroom.

* *Acts of Intimidation, Assault, and Violence* must be dealt with firmly—with fair and equal treatment. Teachers must be strongly supported by the administration and the Board of Education.
* *Vocational and Occupational Training* need to be expanded.
* *Ability Grouping* must be reinstated.
* *Costs* continue to rise in spite of drastically reduced enrollment. For many of our elderly citizens on fixed incomes, taxes have already reached disaster proportions. Economies are long overdue.
* *Much Work* will be required to halt and reverse the rapid deterioration of our schools in Pasadena. Results of the policies implemented by the present school board are tragic. It's time to send in a strong new team.

PLAINTIFFS' EXHIBIT XVII.

VOTE-O-GRAM

Stop Forced Busing — Vote March 6th

Urgently Need Your Help. School Election Next Tuesday Last Chance to End Costly Forced Busing Now Destroying Our Community. Must Elect Vetterli, Myers and Newton to Join Me on School Board. Essential We Reestablish Neighborhood Schools, Restore Discipline, Guarantee Every Child Quality Education and Make Each Tax Dollar Count. Election Will Be Very Close, Repeat, Very Close. Your Vote Can Make the Difference. Please Call Relatives and Neighbors to Vote With You For Vetterli, Myers and Newton March 6. There Will Never Be Another Election More Important to Our Community. Thank You Very Much.

HENRY MARCHESCHI
Member, Pasadena School Board

PLAINTIFFS' EXHIBIT XVIII.

Minutes of the Regular Meeting — Page Number
December 18, 1973 — 18,376

* * * * *

Modifications to Pasadena Plan.

Mr. Marcheschi stated that while copies of his proposed modification plan for elementary schools are being distributed, he would appreciate cooperation in complying with the following procedure: first, he will make his presentation; second, Mr. Sheats will offer his comments; third, comments by individual Board members; fourth, questions from the audience for further information or clarification; and fifth, comments from the audience expressing for or against the plan. He then turned the gavel to Vice President Myers to serve as chairman, while he made his presentation.

Mr. Marcheschi stated that the presentation is divided into three parts; he will first state why he believes modifications are necessary; Mr. Hagen will present some information relative to ethnic shifts and the resultant problems that now exist—information compiled at Mr. Marcheschi's request; a detailed explanation of the plan by Mr. Marcheschi followed by comments from the Superintendent on the alternatives offered in the modification plan, and Dr. Zeronian on preliminary costs. He would conclude with comments as to why he believed the plan should be adopted by the Board. A copy of the complete proposal is attached.

Mr. Marcheschi recalled that last September the Board majority had authorized the hiring of legal counsel and for the Board President and the Superintendent to bring together a task force to evolve a modification of the Pasadena Plan. He continued by stating that the Committee was formed and met on five occasions, following which he became ill, and subsequently the

Committee ended its efforts. The Plan being presented contained much of the input that was dicussed by the Committee and also contained input from the staff, but Mr. Marcheschi wanted it clearly understood that the proposed modification was essentially his proposal. He then called on Mr. Hagen to present statistics on the present composition of the schools and their compliance with the court order.

As background information, Mr. Hagen recalled that the key stipulation of the Court Order was that no school should have an enrollment of the majority of the minority; the first year Pasadena sailed into the Plan there were three schools with more Black students; however, no school had a majority of any one minority; but the following year there were four schools with more Black students, with Loma Alta having over 50% Black; two years ago, there were 12 schools with more Black students, four of which were over 50% Black; and this year there are 21 with five having over 50% Black. He added that although 90 students were redistricted last year from Loma Alta, its impact did not have the desired effect to change the ethnic configuration and that a similar situation is now occurring at Muir.

Mr. Marcheschi then stated that irrespective of how one may feel regarding modification, based on the historical data just presented, there is either the need to move immediately toward a vast redistricting program for next year in order to bring what by that time will be a considerable more than five schools in line with the court order or be in a situation where there will be many more schools where the majority of the minority will exist. He believed that in addition to these facts was the additional fact that before the Pasadena Plan went into effect in September, 1970, there were 17,859 Caucasian students in the district, but this past year the figure dropped to 11,188 or a loss of 6,671, or over 37%. He said it would be folly to blame all of this drop to the Pasadena Plan but he believed the point could be made that the Pasadena Plan was a significant contributor and that

unless this trend is stabilized, the mutual desire for quality education in an integrated setting is going to be an unachievable myth because there will not be sufficient Caucasian students to provide meaningful integration. He believed that all reasonable people agree that some modification is necessary, and by using an overhead projector he proceeded to explain his modification plan beginning with the dividing of the school district into four separate zones, which are precisely the zones used to establish the Pasadena Plan and closely represent the ethnic composition of the district, but eliminates specific school attendance boundaries, allowing any parent living within a given zone to send his child to any school in that zone with the district providing the transportation. Another modification was the return to the kindergarten through six grade type of program of each elementary school. In order to provide freedom of choice and affirmative action toward an integrated education, each school zone will provide distinct and unique educational alternatives to serve as "magnets" in each of the schools, thereby parents can choose what they believe to be the best school for their children.

Following Mr. Marcheschi's reading of his complete proposal, and at his request, the Superintendent expanded on the educational opportunities listed under Exhibit A in the attached plan, resulting from a committee composed of Dr. Zeronian, Mrs. Jeanne Comerford, Mrs. Hession, Mr. Edward Shutman, and Mr. Rudolfo Medina. He explained further the mini-school within a school concept which any student might attend either at the one at his school of attendance or any other within his zone.

Mr. Marcheschi explained further that because of providing parents with new options, the ethnic balance may be altered at some sites, and if this should occur, it it proposed that the school be paired with a "sister school" with an opposite ethnic makeup, and using district transportation, these schools would share educational programs at least one-half a school day per week. He then called on Dr. Zeronian to offer his preliminary analysis on the cost of implementing this proposal.

Dr. Zeronian then read his memorandum to the Superintendent as follows:

"Having reviewed the proposed modifications to the Pasadena Plan which are to be discussed by the Board this evening, I wish to indicate a number of areas where it is expected that there will be a one-time cost of implementation of these modifications. The following are areas which are integral to the modifications, and it is estimated there will be a one-time increased cost, either during the latter part of this fiscal year or during the coming fiscal year.

Item	Estimated Cost
"Minor modifications to buildings and playgrounds	$20,000
Transfer of furniture, equipment, books and supplies	30,000
Staff and curriculum development programs	15,000
Public information and communications programs	20,000
Transportation modifications	75,000 to 100,000
Implementation of mini schools	120,000 to 240,000
	$280,000 to 425,000

"The above are estimates made from the best knowledge that we have at this time as to how the modifications proposed would be implemented. It appears at this time that the maximum one-time increased cost will not exceed $425,000. The cost conceivably can be lower, as indicated by the range shown above. These one-time increased costs are manageable and within the resources available to the district provided any or all of the following take place:

"1. That consideration and approval be given to reallocations of funds during the next fiscal year from areas where they are currently being spent to offset these one-time costs.
2. That consideration and approval be given for the increasing of the tax rate.
3. That consideration and approval be given to the consolidation of a number of schools."

Mr. Marcheschi pointed out that it was costly, too, to initiate the Pasadena Plan, and noted that there were some things not included in this proposed modification—it does not contemplate the closing of schools which is an essential issue; it does not contemplate the ninth grade which will be discussed on the fifteenth; nor does it refer to the community development school, because it was believed that an initial plan be submitted first, as quickly as possible, to the court, and revisions submitted as needed at later dates.

He concluded by stating that he anticipates criticism to his proposal—that it would produce segregation in the school district, but explained that his definition of integration was not achieved by forcing minority children to attend certain schools, but by offering and encouraging minority students to attend any school of their choosing. He believed his plan offered educational alternatives and included a competitive process which would provide improved educational opportunities for all children. He said alternatives have been successful in Pasadena as exemplified by over a 1000 applications received for the Fundamental School. He believed his plan should be adopted and the attorneys instructed to seek approval of it before the courts.

Mr. Sheats said that it was contemplated that he would comment on the proposed plan. He noted that resources from the $50,000 for a law firm, the Superintendent's Office and staff were used in the development of the Plan, yet he had only received his copy the night before (Monday, December 17) with further refinements delivered to him this afternoon. He believed the proposed plan resegregated the district and he drew attention to Part 3 of the proposed plan. He said that if people wanted freedom of choice, they would have legislated that freedom of choice, and indicated that it has been demonstrated that freedom of choice by its very nature caused segregation, and that is why the district had adopted the Pasadena Plan. Mr. Sheats commented that Mr. Marcheschi never indicated why the Pasadena Plan came to being—that it was the result of the

court order which found the district as having deliberately segregated its races and had order the school district to desist from that type of enterprise, and present a plan to integrate its schools.

Mr. Sheats then gave historical data which he believed would point out that before the institution of the Pasadena Plan, Pasadena was a much more segregated school system; that prior to 1970, there was complete racial segregation in this community and that in the school year 1969-70, there were eight schools with predominantly Black enrollments of between 60-95%, and at the same time there were 27 schools which had overwhelmingly more Caucasian students and nobody said anything about it. He gave his definition of segregation as being the separation of the majority groups by deliberate action. He believed that the Pasadena Plan had actually worked for three years and unless it was derailed, it would become so successful that it would be difficult to doubt its efficacy.

Because of the Pasadena Plan, Pasadena had received national attention and acclaim, and he believed rightfully so, for the creative way it had sought to meet very old, very emotional and very complex problems—the issue of racial and ethnic segregation. He felt that because all children were valuable and capable of achievement, care should be exercised before rushing into final consideration of adopting these modifications. He added that what is done here in Pasadena will be regarded in every school district in the nation which has an appreciable ethnic race minority.

Mr. Sheats said that first, it was inconceivable to him that at this period of austerity, that such a plan could be considered without much more definitive information as to what such a plan would cost; secondly, what were the number of students being considered and what about plans for the magnet schools; thirdly, had the administration looked at this plan evaluated it and if so, what was its recommendation, and if not, why not. He believed the administration had a right to support its

recommendations and recalled that the Pasadena Plan required the administration to make recommendations.

Mr. Sheats predicted that if this plan by some miracle were accepted by the courts, it would spell the death knell of the Pasadena school district and would indicate that there were still some who are incapable of understanding the nature of human interaction. He named Mr. Marcheschi as evidence of lack of good faith and asked how people who claim to have the interest of the minority people and who claim they really desire to have their input, yet prevented him, a Board member, from participating in the formation of the plan. He added that the plan had nothing to commend itself to.

Mr. Sheats then offered his services, free of charge, rather than pay $50,000 to a law firm. He said he would urge the services of such men as Mr. Joseph Wyatt and others to join him, and with the help of the administration, the State Bureau of Intergroup Relations, the U. S. Department of Education, and experts in the community, and in a cooperative way modify the Pasadena Plan to take care of the problems which have developed in a way that will demonstrate good faith, present Judge Real with a modification proposal with assurance that it will receive his approval. A standing ovation was given Mr. Sheats following his remarks.

Mr. Marcheschi expressed his appreciation for the sincerity and civility of Mr. Sheats' comments, adding that he has never doubted Mr. Sheats' sincerity and hoped that Mr. Sheats never doubted his. He added that Mr. Sheats' input on this question had been known rather substantially for a long time.

To Mr. Marcheschi's question, Mr. Sheats replied that he had received the Plan on Friday night (December 14) and Mr. Marcheschi that he did not believe there were any major modifications between Friday and today.

Mr. Marcheschi added that Mr. Sheats had established a very meaningful case for not going back to the pre-Pasadena Plan

and it was not proposed to do so, if only for the simple and logical reason that the district would again find itself mandated. He welcomed Mr. Sheats' efforts to go out and produce a modification plan. He recalled that in the past 2½ years this was the first time Mr. Sheats had admitted to the fact that modifications were needed. He challenged Mr. Sheats to address himself to the percipitous loss of Caucasian students. He added that the resolution presented was a plan to present to the court for approval, and while he is not pessimistic about it as Mr. Sheats, the legality of it will be decided by the courts. He believed the present course with the Pasadena Plan will within three or four years find the district without Caucasian population that makes integration possible.

Mr. Sheats laughingly replied that he would then run for mayor. Mr. Sheats commented that he had never stated that the Pasadena Plan was sacrosanct and cast in concrete. He added that he has said that there are some very simple modifications that can be constituted. He noted that between 1960-70 the Black population in Altadena alone had grown from 2½% to 27%. He believed a positive attitude toward the Pasadena Plan would go a long way to stabilize the community. He again reiterated that the most significant find of change would occur by involving the people themselves—those who have demonstrated competence, interest, dedication, etc. to assist in formulating modifications. Again, he asked why the administration was not given on opportunity first to present a plan for modification. He hoped that serious consideration will be given to this suggestion and the proposed modifications not adopted. He concluded by recalling that the Pasadena Plan was adopted as Board Policy and asked if Mr. Marcheschi was proposing to change the policy and if so, was the procedure being followed.

Mr. Newton and Dr. Vetterli indicated they had no comments to make at this time.

Dr. Myers commented that the idea of mini schools was creative but questioned the practicality of implementing this

concept immediately in all of the schools, and did not see any particular significance to the overall attractiveness of the plan.

There followed some discussion on the mini school and the magnet school concepts.

The Superintendent explained that everyone must go to the magnet school. The mini school idea was not developed for this particular plan and was not suggested as an immediate situation, but suggested as an alternative and that many primary schools do have alternatives where parents have choices such as team teaching, non-graded classrooms, contained classrooms, etc.

Mr. Marcheschi added that the school district was committed to provide alternatives and did not see all of the 28 schools operating immediately with mini schools but possibly over a period of time.

Mr. Sheats then asked the Superintendent if he had approved the plan. The Superintendent replied that Mr. Marcheschi had stated earlier that this was his plan, and it was incumbent upon the staff to make the plan successful once it was adopted or resign their jobs. He added that when Mr. Marcheschi had asked him where he stood on this particular issue, he shared with him his concerns and reservations. However, he would make it successful or attempt to with the help of the staff and parents in the community.

Mr. Sheats said that this whole matter was now getting down to the crux of the problem, and added that the Superintendent was under court order and had administrative responsibilities. He wanted to make it very clear that it is a life and death problem and he was not willing to play politics about it, that the end of the line was reached regarding temporizing. He again asked Mr. Marcheschi if it was contemplated to ask the Superintendent to give an objective evaluation of these proposals before the Board acts on it.

Mr. Marcheschi replied "No", and explained that the Superintendent had expressed publicly that he believed some modifica-

tions were required to the present plan, and when Mr. Marcheschi had asked what these modifications might be, the Superintendent had replied that he was not prepared to propose such modifications. Mr. Marcheschi added that he personally felt he would prefer to keep the Superintendent and staff in on a political position in this particular modification, so when he had specifically asked the Superintendent if he could support the modifications and make them work if adopted by Court, and he had answered affirmatively.

Appearances Before the Board.

Mrs. Frances Dyer, Altadena: Said she had attended the task force meetings and at no time did she see anything concrete although a lot of questions were raised. She asked if anyone from the committee had contributed to this finished product.

Mr. Marcheschi replied that he had not sought staff recommendation and the attempts of the committee were very unsuccessful, that after five meetings they were not able to recommend or submit recommendations.

Mr. Newton added that as a member of the Board on the committee, many of the ideas in the proposed modifications were either mentioned or discussed at the meeting. Mrs. Dyer replied that she heard it discussed but could not recall anyone saying they were in favor of it.

Mr. Robert Paul DeVon: Said he did not know any of the gentlemen on the Board, but appreciated Mr. Marcheschi drawing attention to the proposal and to Mr. Sheats for making it understandable and open people's eyes.

Mr. Al Romo: Believed Spanish speaking people were caught in the middle and that some of the ideas presented were untested. He referred to the many bilingual programs under ESAA and ESL which were tested and proven first. He asked if the return in the ninth grade to the junior high school would disqualify federal funding.

Mr. Marcheschi replied "no" to the latter question, and commented that the Spanish speaking contingent in this community is growing faster than any other minority, and assured Mr. Romo that there was nothing in the modifications other than to stimulate Spanish speaking pupils, adding that for the first time lower socio-economic students would have the same chance as those in the upper socio-economic students. He added that he was not proposing this evening that the Pasadena Plan be modified but that a resolution be presented to the court requesting that a modification be made, and with the concurrence of the Board, this modification would be presented and that such a proposal might bring some recommendations from the court which might require that changes be made.

Lionel Soracco, Teacher: Asked how many students would be involved in the mini schools.

Mr. Marcheschi replied that it would be based on how many parents opt for the mini schools, and to another question raised by Mr. Soracco regarding what he believed to be east and west division of the four zones, Mr. Marcheschi replied that he was not proposing that there would be racial balance in each school but there would be an integrated situation where no one is barred from any school of his own choosing.

Gary Frances, USC Student: Noted that earlier in the evening, students were the first to give Mr. Sheats a standing ovation, and believed students should be given a voice and be involved in the decision process since it concerned only them.

Mr. Marcheschi replied that these proposed modifications covered only grades K-6, and did not involve the secondary schools.

Mr. Frances mentioned that Mr. Sheats had spoken to his class at the University of Southern California, and invited Mr. Marcheschi to also present his ideas to the class, which Mr. Marcheschi accepted.

Mrs. Ann Pursell, Pasadena: Asked what was to be done, if one school had more applicants than it could handle.

Mr. Marcheschi replied that the first fact to be considered was that of capacity at each school, and the second component would be the use of transportables, but believed that the most important thing was that if one school gains such popularity, then perhaps it should be emulated in other schools.

Jim Hight, student: Said he had seen this sort of plan before and believed it was doomed to fail because it would result in Black mini schools in White areas and White mini schools in Black areas. He added that students had been working for the Pasadena Plan for the past 3½ years and they will not be segregated.

Frank Barbegello, Student: Said that when he looked at the Plan a few hours ago, he thought it was a nice idea, but it was bad because in no way would parents living in the Willard area send their children to Lincoln and again, there would be segregated schools, and the students had a right to attend integrated schools.

Mr. ZinZin: Asked what would happen if a school in a White area was completely filled with White students living within its radius, then what recourse would the Black students have.

Mr. Marcheschi replied that analysis prepared by Mr. Hagen indicated that each school would still have significant capacity to enroll anyone who wished to attend. Mr. ZinZin believed that the proposed plan would only encourage racists and bigots in the southern states to follow similar courses to segregate their schools. Mr. Marcheschi replied that he knew of no school district that could ever get court approval of a plan for segregation.

Mr. Robert L. Salley, Senior Vice President of the Pasadena Federation of Teachers: Read a statement seeking clarification of the effort to obtain relief from the desegregation order of Judge Manuel Real. In the statement Mr. Salley believed the full requirements of Section 1016 of the Education Code was

not fully complied with, especially as it concerns what he believed to be the "open-ended" aspects of the contract first raised by Mr. Sheats and shared by others; he also requested clarification of the language between the contract and the Board Report 79-B, and what would happen if the $50,000 currently allocated to the legal cause was absorbed, would additional funds be allocated.

During the reading of the full statement, Vice President Myers, still serving as chairman, noted that Mr. Salley had exceeded his three minutes according to policy.

Motion and Action
Waiver 3 Minute Requirement

Dr. Vetterli commented that a good deal of work and thought had been given to the preparation of this statement and Moved that the three minute limitation be waived and Mr. Salley be allowed to complete his reading of the above mentioned statement. The Motion was seconded by Mr. Sheats and by the unanimous action was approved and made the action of the five-member Board.

Mr. Edward Malecki, Altadena: Contended that the present Board assumed that because they were elected, that it was a mandate of the people in the community, and presented statistics which he believed indicated that only 26% of the voting public had participated in the election.

Dr. Vetterli replied that in the polls last year, 89% of the people in this country indicated their preference to eliminate forced bussing and recalled the overwhelming response from the people against forced bussing under Proposition 21.

Dr. Vetterli added that a number of things had come into the picture during the Board campaign, which confused many people such as racism; and it was also a known fact that once an election reaches a certain point and a trend established, the results from that point on do not change appreciably.

Dr. Vetterli also noted that people vote for persons in whom they had confidence and who they think would find answers to their problems; and recalled that the issue was forced cross-town bussing and the people voted for those who, they believed would come up with a plan.

Mr. Saul Glickman, President of the Pasadena Federation of Teachers: Read a statement referring to a survey conducted when the "New Pasadena Plan" was presented a year ago by Mr. Marcheschi, and noted that the Pasadena Plan ranked extremely favorably in all aspects and the "New" plan ranked among the lowest in all aspects. He believed there was no significant difference between the proposal heard tonight and that of a year ago. The proposal was rejected by the staff and the community then, and it was his organization's opinion that if the same survey were conducted today, the results would be the same.

Mrs. Ruby Williams; President of Pasadena Chapter NAACP: Said she had so many questions to ask it would take until morning, and with regards to a reference to a comment made by Dr. Wilson Riles, which was referred to earlier by Mr. Marcheschi, Mrs. Williams commented that anyone could take a part of a statement and interpret it any way he wished. She believed Dr. Riles had stated that he wanted the best schools for his children when he had moved to Sacramento, and he had enough money to buy where the best schools were. She added that she and others were aware that there are some schools in certain neighborhoods which are better than others. She referred to Henry Wallace who was so opposed to integrating schools in Alabama, but was recently seen crowning the homecoming queen at the University, who was a Black girl. She believed people changed and if concerns are discussed in a positive way, they are resolved. She believed the reason Altadena suddenly became 25% Black was that restrictions for housing were removed. She concluded by stating that Black people are Americans and the discussions should not be based on Black children or White children but "our children", and added that if this plan segregates schools the NAACP will fight.

Mrs. Maureen Murphy, Teacher at Don Benito: Said she was totally opposed to going back to the K-6 plan recommended in the proposal and would be willing to strike for it. She then read a statement from the teachers and P.T.A. opposing this move.

Mrs. Eleanor Valentine, Teacher, Field Elementary School: Read a statement from the Field Elementary School Curriculum Advisory Committee expressing concern about the future of the modular program currently existing so successfully at that school, if the district should return to K-6 plan of operation.

Mrs. Kathy Haight, Student: Disagreed that the plan did not involve high school students—she believed it did because kids are integrated and that integration is a slow but sure process and should begin in the primary schools.

Mrs. Norma Sandusky, President, Pasadena Education Association: Said she would not read a lengthy statement, but the PEA would not stand idly by and watch three years of work committed to quality education be camouflaged by words and a single-minded modification proposal.

Brad Chable, Evening High School: Believed that by pairing schools ½ day a week was only legalizing segregation, to which Mr. Marcheschi replied that students had the freedom of choice to attend any school they desired.

Mr. Sheats stated that if the Board puts this to the courts, he will testify against it and other matters which have come up since the new Board came into existence.

Mrs. Rosemary Gunn, President, League of Women Voters: Believed there was one area where there was a meeting of minds and that was to get a lot of kids that haven't been educated, get educated and the only way to do that is to put some middle class children with the poor children because middle class parents know how to deal with results; that integration was needed to achieve integration of kids, that ½ day a week with a sister school was not really integration; that mini and magnet schools were important to achieve integration and required a high funding priority.

Mr. Marcheschi referred to the Coleman Report and others, that the mixing of children of various socio-economic backgrounds in a room had any effacacy.

Rick Cole, Altadena: Believed the Board should call a special meeting on this matter or put it over to the next meeting because it was a life and death matter to this district, and that it would be a mockery of the public process to do otherwise.

Scott Harrison, Pasadena: As a former ASB President, said there was a Pasadena Plan because there were Pasadena problems. He believed the Black students were having a very difficult time because they have a poor start to begin with. He believed everyone should put 100% effort to alleviate this problem and that bussing was a start, but it did not alleviate it, and perhaps providing equal opportunity was the next step. He voiced his appreciation of the Board's efforts to grapple with this problem.

Mr. David Fishman: Said he would like to direct his questions to Superintendent Cortines, whose opinion he respected, and asked where he stood as the leading educator in this community with respect to the proposed modifications to the Pasadena Plan.

The Superintendent commented that he believed this particular proposal had some very good points in it. As he has stated before, he believed the Pasadena Plan needed to be modified, but he had not come up with any recommendations. He could not give an opinion as yet because neither he nor his staff has looked at the educational advantages pro or con and this is a very different educational concept. He added that he believed in integrating children and did not believe ½ day a week would provide the opportunity for growth and development from young people to adults and contributing members to this community. He added that he was not trying to side step this very complex issue because also involved was the decrease in enrollments and economics.

However, he believed he could make the plan work educationally with the help of his staff, and recalled the horrendous task in the initial efforts of implementing the Pasadena Plan.

Mr. Albert C. Lowe, former Board Member: Wondered if the proposed plan would work adequately against segregation, and Mr. Marcheschi had said it would; also Mr. Marcheschi had indicated it would also provide stability. He said the concept mini schools did not work, because Caucasian parents simply would not opt to send their children other than to the schools in their neighborhood, and he could not understand how a community would voluntarily move its children across town—either Black or White. Insofar as stability, in order to have it, a large majority of the people must want it in order to make it work such as in Berkeley. Mr. Lowe also believed there was greater learning opportunity under K-3, and it did bring many parents of children of various races together which contributed towards greater understanding. He concluded by stating that the more positive approach would be to correct the deficiencies of the Pasadena Plan.

Mr. Marcheschi replied that this community reacts negatively to a mandatory concept.

Mr. Herbert Lester, Pasadena: As a parent and professional social worker, he said he was very disturbed with what he was hearing tonight, and as a parent he is interested in good education for his children and part of that is learning how to grow up in an inter-racial society.

Julius Johnson, Pasadena: Said this was his first appearance before the Board since 1969, and was confused about what was being presented since Mr. Marcheschi had indicated that a resolution was being presented to the attorneys.

Mr. Marcheschi again explained that at this meeting he would like to propose that the Board pass a resolution instructing the attorneys to present this plan to Judge Real for his approval.

Mr. Johnson then asked if discussion and debate had any influence.

Mr. Newton said that as a member of the Committee who had made up the plan, he found he had pretty much made his decisions prior to coming here.

Mr. Johnson said he was not afraid of this modification plan because he believed no court would approve it.

Mrs. Carmen Romo, Parent: Said she had 8 children in the Pasadena schools K-3, 4-6, and believed parents should have a right to vote on this modification for they are more involved because of their children, than the Board.

Motion—Resolution to Present Modification Plan.

Mr. Marcheschi said he would like to move at this time that the Board instruct the law firm of Paul, Hastings, Janofsky and Walker to seek amendment of the present court order under which the school district is operating and request approval of the court to implement the modifications outlined in the presentation entitled "The Integrated Zone/Educational Alternatives Plan—A Proposed Modification to the "Pasadena Plan".

The Motion was seconded by Mr. Newton.

Mr. Cole again requested that a special meeting be held to consider the questions raised but which have not been answered.

Dr. Myers replied that the plan is not a sudden come-up tonight but the Board members were studying this during their campaign election and had discussed it with each other and many ideas were submitted. He said he would admit that there are problems with every plan, and it was believed to be best at this point since the Pasadena Plan had to be modified. He concluded by stating that he was prepared to vote on it.

Mr. Marcheschi said he had been working on this for the past six months and he and Mr. Newton have attempted to devise a plan that would optimize the best advise of the attorney and other legal authorities and he would not accept the premise that the judge would not accept it. It was his feeling that the

plan was the best compromise and a great step forward, and which indeed might make it possible to stabilize the school district.

Mr. Sheats said he did not know what kind of legal advise Mr. Marcheschi had been getting, and assured Mr. Marcheschi that he would be pointing that out to the judge along with other matters. He again noted that the Pasadena Plan was Board policy and any action taken tonight would be contrary to Board policy since all policy matters require two readings, and the earliest would be January 8, and believed the motion to be out of order.

Mr. Newton commended Mr. Marcheschi for his presentation of the plan and the objective manner in which the subject of voluntary versus mandatory bussing of school children was discussed. That while he respected input from the community, it was a matter the courts would have to decide, and he would therefore, like to call for a vote.

Mr. Marcheschi commended the audience and all the participants in this discussion in light of the gravity of the subject, and expressed his thanks to Mr. Sheats. He believed the debate, discussion, and conduct were on the most high plane and he was thankful and grateful.

Appearance Before the Board.

Mr. Al Romo: Referred to the Treaty of Guadalupe Hidalgo, passed in 1849, which requires involvement of the Spanish speaking persons when decisions of this nature are made and suggested checking into it.

Action—Resolution to Present Modification Plan

By a vote of 4-1, with Mr. Sheats voting "Nay" for reasons stated during the discussion, the above MOTION was approved and made the action of the Board.

Dr. Vetterli made a statement with respect to Mr. Marcheschi, in which he mentioned that tonight was an important mile-

stone in Mr. Marcheschi's life; he was sure Mr. Marcheschi had been working for such a modification sincerely, and he has appreciated his stamina in going through with this presentation, his dedication to what he believed in, and the proposed plan which offered freedom of choice. He added that he has known Mr. Marcheschi as a personal friend, and as a man, and whatever he has attempted to do has been for the good of all children of this district, regardless of their race, and knows there is not a racist thought that enters his mind.

Appearance Before the Board.

Mr. Robert Parker, N. Glen Slope: He said he would like to express from the floor that he was one of the 26,000 who had voted for the present Board and wanted to offer his thanks and added "let us now get on with it".

Adjournment.

The meeting adjourned at 12:20 a.m., Wednesday, December 19, 1973.

/s/ RAMON C. CORTINES,
Ramon C. Cortines,
Superintendent of Schools,
Secretary to the Board of Education.

MR. HENRY MARCHESCHI,
President of the Board of Education.

V:b

PLAINTIFFS' EXHIBIT XX.

Minutes of the Regular Meeting — Page No.
July 10, 1973 — 18,164

BOARD REPORT 1.

Organizational Changes and Acting Appointments.

Dr. Myers stated that since the time the new Board was elected four months ago, they have been very diligently studying the Pasadena schools, and they now feel they know more about it, although there is a great deal more for them to know. He said that during this time they have talked with people in the system—students, teachers, administrators, parents. At the outset they want to say that they recognize there are many, many fine things in the Pasadena schools and in no way are they implying that the majority of things are bad, but they have been repeatedly getting the same complaints which indicated to them some organizational changes were required, and most importantly, to get people to work with the Superintendent in streamlining functions and communications at the Education Center. He reported that they have found three people. They recognize that these are not necessarily people chosen by the Superintendent or the best people for the job, but after some soul searching, they believe these are the best people to do the job. They are being recommended to serve on an acting basis and their positions are in no way cast in concrete. The Board in no way expects the Superintendent to be responsible for the selection and they accept that responsibility, but expect the Superintendent to get these people to work and work hard. He added that these persons have promised to do their best, and they have been told that they must work with the Superintendent for he is their boss.

The Superintendent stated that he wanted it clearly understood that these were not his recommendations to the Board.

He recalled when he was appointed almost a year ago he was asked to reorganize and deal with some of the district's problems. With the help of Dr. Zeronian and the staff, the hope of increasing the ending balance by $500,000 has more than been achieved, in that the balance is now $1.8 million over that budgeted. With the help of the people in the schools, discipline has been greatly improved, and referred to a letter from the Pasadena Police Department relative to this improvement. He had personally met with all employee organizations through the Certificated Employees Council, the Classified Meet and Confer, and the administrators organization. He added that he has visited schools and attempted to develop better programs of communication, and new educational programs have been implemented. There are some strengths and some weaknesses, and the positions of area directors have not been a popular kind of task. He referred to the Board Bylaws and Policies which states that the Superintendent is the Chief Administrator. Mr. Cortines said he has attempted to listen, to take action, provide direction, and work with the various people in the school community. He commented that he has made some mistakes and he has publicly stated that these would be corrected and they have been corrected. If there was a problem, the Superintendent should have been made aware of it and directed to bring back a plan. This was not done. He suggested that if this is the way this Board is to continue functioning, then the problem is not in the staff, but in the leadership, and the Board should indeed take appropriate action to deal with the Superintendent. He added that he has worked with these three individuals and knows them well and if this is the Board's decision, together they will do the job that needs to be done.

Mr. Sheats said he had grave concerns regarding this recommendation which is an extensive reorganization and what distresses him is that no one had talked to him about it. He asked how this recommendation came about and was this done consistent with the Brown Act. Until following the Executive Session, his Report 1 was a blank report. He referred to the

practice of long standing of the Chief Executive Officer making recommendations with supporting data and there is no data regarding these people, what were their strengths and weaknesses, their experiences, and what are their jobs. He recalled that the existing organization includes four educational directors, and asked if they were to be replaced. He raised the question of the cost of these appointees to the district, and concluded that the manner in which this recommendation was conducted was the very essence of the "spoil system", that it was illegal, not having been consistent with the Brown Act and that it should be stricken from the agenda.

Mr. Marcheschi said with respect to the legality of the Board Report, he had requested that it be placed on the agenda and believed that it fully meets the requirements of the law because any Board member can request an item be placed on the agenda. However, he wanted to speak to the merits of this particular Board Report. He added that he was deeply concerned that this is not a wise course of action, although he respects the desire of the new Board members to affect certain changes that they believe are necessary. He said he would vote against this recommendation primarily because he believed that the Board must affect its policies and changes through its chief executive officer and should it not be happy with that arrangement then it should seek a new executive officer.

Appearances Before the Board.

Mrs. Barbara Spangler, Pasadena: Asked with the appointment of these new positions, what happens to the area directors, what are their salaries, and would their salary be commensurate with their responsibility, would there be an overlap of responsibility, and requested meeting in executive session with the Board before the decision is made.

Saul Glickman, President, AFT: Asked if the audience could get prior experience and qualifications of the people being considered.

Mr. Marcheschi stated that these appointees were discussed in Executive Session but not in public session, because the policy specifically states that personnel matters are conducted in executive session, and he encouraged anyone that has anything to present to the Board to do so whether or not they be favorable, since these are acting appointments and the Board would be able to take into consideration any input citizens make.

Rev. Richard Isaacson, Pasadena: Asked when would Mr. Marcheschi be asking for Mr. Cortines' resignation. Mr. Marcheschi replied that it should be made eminently clear that he voted for the promotion of Mr. Cortines to the Superintendency, and he had absolutely no intent but to back the Superintendent at this point in time.

Rod Parker, President-Elect of the Pasadena Education Association: Asked if the District policy and procedure had been followed by informing the staff that these positions were open, and following a negative answer from Mr. Marcheschi, added that he would like to inform the Board that the CTA and the PEA will take every action that the Board does follow its policy.

The Superintendent again reiterated that these were not his recommendations, but he had to be objective, and according to County Counsel the Board has the same right as the Superintendent and can make acting appointments directly to the Superintendent without going through procedure.

Mr. Marcheschi then read the recommendations on Board Report 1, as follows, and called for the vote.

It is recommended that the following appointments be approved, effective July 11, 1973:

Willard A. Craft—Acting Assistant Superintendent for Elementary and Secondary Education

John F. McHale—Acting Assistant Superintendent for Personnel and Support Service

Mrs. Anna Mary Hession—Acting Director of Elementary Curriculum

Motion and Action
Board Report 1

On Motion of Dr. Myers, seconded by Mr. Newton, and by a vote of 3-2 with Mr. Marcheschi and Mr. Sheats voting "Nay", Board Report 1 was approved and made the action of the Board.

Request for Authorization from County Counsel to Retain Outside Counsel: Appointment of Outside Counsel on Interim Basis; Ad Hoc Committee to Assist in Appointment; Preliminary Petition to Be Submitted to Federal District Court for Modification of Pasadena Plan.

President Marcheschi stated that the Board was now going to discuss in his opinion one of the most crucial, most emotional, highly diversified item of school board activity that has ever occurred in this district, adding that he would like to establish some basic understandings. He said that it was no mystery to anyone that the present status of the law on this question is at best "fuzzy", and that members of the Board are proposing to raise questions to the federal courts—not in an attempt to return to segregated schools—but in an attempt to modify the present plan in such a way as to get rid of some of the counter-productive qualities of the Pasadena Plan. They wanted to make it clear that this was not an attempt to do away with the Pasadena Plan which promotes integration, but to modify it in such a manner that, perhaps, most can agree that some beneficial progress was being made. He asked that a modified plan be prepared and presented to the Board no later than August 28 of this year and that the Board then decide whether it will present it to the federal courts. He added that whether or not such a modification will be allowed is not in the hands of this Board, the audience, but in the hands of the courts and he felt the Board should at least make an attempt to see what happens and once and for all settle this question.

Mr. Marcheschi noted that the answer would not come in a short period of time of one or two months, and certainly no changes would be made this year. He concluded by stating that this was just an attempt to see if any modifications can be made and in that spirit he would like to introduce this item for discussion.

UNITED STATES' EXHIBIT 2.

MINUTES OF THE REGULAR MEETING

PASADENA CITY BOARD OF EDUCATION

PASADENA UNIFIED SCHOOL DISTRICT

TUESDAY, FEBRUARY 27, 1973.

Meeting	Page No.
No. 47	18,057

The Pasadena City Board of Education, acting as the Governing Board of the Pasadena Unified School District, met in Regular Session on Tuesday, February 27, 1973, at its regular place of meeting, 351 South Hudson Avenue, Pasadena, California.

The meeting was called to order at 5:10 p.m.

The following members were present:

Mrs. LuVerne LaMotte, President

Mrs. Ann T. Hight, Vice President

Mr. Albert C. Lowe

Mr. Henry Marcheschi

Mr. Samuel C. Sheats

• • • • •

County Counsel Letter

Mrs. LaMotte read a letter from County Counsel, regarding two possible means for modifying the Pasadena Plan and the procedural steps that can be taken. A copy of the opinion is attached.

• • • • •

COUNTY OF LOS ANGELES
Office of the County Counsel
648 Hall of Administration
Los Angeles, California 90012
625-3611

February 21, 1973

Mrs. LuVerne LaMotte
1959 Midlothian
Altadena, California 91001

Re: Procedural Steps For Modifying The Pasadena Plan

Dear Mrs. LaMotte:

There are two possible means for modifying the Pasadena Plan—by Board action or by private action.

The Pasadena School Board should decide how it wishes to modify the present Plan. The Court will not make the decision for the Board on what plan is to be adopted, but will only rule on whether a plan approved by the Board meets the requirements for racial balancing in the District.

The wording of the Board resolution to modify the current plan is quite important. It should not appear either to be an attempt to avoid busing for racial balance or to revert either to neighborhood schools per se or the circumstances as they existed prior to the implementation of the present Plan. What is needed on the positive side is evidence of change in circumstances and an indication that the modified plan will have some long-range applicability. The patience of courts with the annual bringing of actions to modify current plans is likely to run out very soon, and the disproportionate time being spent on achieving racial balance or attacking the means of racial balancing weakens any argument for modification now.

The evidence needed for a hearing to have a reasonable chance of success should include statistics on the racial composi-

tion of school attendance areas both under the present Plan and under the proposed modification, the feasibility or lack of it of alternative systems for balancing such as redrawing District boundaries, and some indication of public opinion analogy to the Public Opinion Survey carried out in Inglewood. Regarding this last point, public opinion alone will not affect the Court's decision, however, it is useful as an indication of the concern of the District administration in the possible effectiveness of any proposed modification.

Once a resolution is adopted by the Board then a petition for a hearing may be made to the Federal District Court. Based on analogous proceedings in State courts, it would be perhaps two months before the hearing could take place. An appeal from an adverse decision in the hearing could be taken.

If the School Board declines to act, there is the possibility of a private action under Federal Rules of Civil Procedure Section 24(a). It is not likely to be successful as the court in the *Alexander* action, 427 F. 2d 1352, indicated that the *Board* should be able to seek review in case of changed circumstances, future developments in thte law or experience indicating unworkability.

It is not too late yet to expect that any modification suggested by the Board could be considered and implemented after favorable court action in time for the opening of the 1973-74 school year in September. This is dependent, however, on no appeal having to be taken.

What statistics I do have from Pasadena do not appear to present a favorable case for modification especially as it appears that the racial composition of the District is now stabilizing.

Very truly yours,

JOHN D. MAHARG,
County Counsel.

By /s/ SANFORD K. SMITH,
Deputy County Counsel.

League of Women Voters
Of the Pasadena Area
1321 North Lake Avenue, Pasadena, California 91104

January 18, 1973

Board of Education
351 S. Hudson
Pasadena, CA

Dear Members of the Board of Education:

At the December 12th Board Meeting, Mr. Marcheschi questioned the League of Women Voters' conclusion based on our criteria. We subsequently received a letter from him concerning this matter. We enclose a copy of Mr. Marcheschi's letter so that you may understand this reply.

We do not dispute that there was an accelerated decrease in the caucasian enrollment during the first year of the Pasadena Plan, and a substantial continuation of the decrease in the second year, but we do disagree with his conclusions.

In this letter we would like to clarify our previous statements. We do believe, on the basis of study, that this fluctuation in the *enrollment trend* has now largely subsided and that the current *rate of decrease* of caucasian students is not much different now, than would have been expected without the Pasadena Plan. In terms of the *total* caucasion enrollment, the figures at the present time are approximately what they would have been next year, had there been no Plan. (see graphs)

We base our conclusions on the graph of school district enrollment figures, our 1968 High School Study, and the 1970 Census. In order to obtain a clear and realistic picture of the school district we chose a graph which is based on the *proportions* of ethnic enrollment relating to the *entire student population*, which Mr. Marcheschi does not do. We are enclosing several graphs for your consideration in determining the facts of the matter, as well as our 1968 High School Study and the KIDS 1968 report.

In 1968 during our High School Study, we found white flight in the Muir High School District, including the elementary schools. This flight could have been due to Board policy, housing patterns, school deterioration, segregated schools, etc. We made a statement to the Board of Education warning them of this trend and presented each member with our study. At the same time, the School Bond Committee "KIDS" published a sheet predicting that if the district continued to lose caucasians and gain minorities at the same rate, the enrollment would be 50% minorities by 1971. This became fact between 1971-72.

Our original statement (Dec. 12, 1972) suggested that white flight was no longer the serious problem—rather that families are not moving into the district because of several possible factors including the poor image of the Pasadena area as a residential community. A start for improving this image is rewriting the Title Insurance Home Transfer Corporation profile in order to encourage home-buyers to move into Pasadena. Our aid in writing a revised profile has been accepted and work is now in progress.

The League continues to support integrated schools at all levels and therefore we are concerned about major changes in the Pasadena Plan. As you will remember, between 1960 and 1970 our increasingly segregated district only seemed to perpetuate white flight. Segregated schools *did not* stabilize our community. We believe it would be advantageous to the children and the community to give desegregation a sincere trial period without major changes. With the court rulings, the trend to equalize educational opportunities and increasing acceptance of minorities, we further believe it is possible that the Pasadena School District can have a successful totally desegregated school system without a stable community.

We are not wedded to the present plan and we would be quite willing to accept an alternative plan if *all* the children were assured of a well integrated atmosphere. Senator Alan Cranston's recent letter to us states: "The Constitution requires equal pro-

tection for all under the law. I'm sure nobody who believes in the American way of life wants to change that fundamental principle of our republic. The courts have ruled that segregated schools are inherently unequal, and hence unconstitutional, because they deny children equal education opportunities. I'm sure nobody who believes in the American way of life wants court orders to be defied; if we obey only those court orders that we choose to obey, our system of order and justice under law will break down."

He continues, "I have always considered busing to be the most undesirable method of achieving school desegregation. I have always opposed massive busing of children over long distances at the jeopardy of their education and their health, or where the educational opportunities would be substantially inferior." However, he does accept busing as a last resort for integrating schools. In our district, what other major alternatives exist besides those already proved ineffective or vetoed by the Board and citizens! (Ex.—Educational complex and Open District)

Our city is small and busing is not a serious problem to the health of our young people. In fact, many have come to love the ride and look forward to the big yellow bus. The constant strain of unrest is far worse to their well being than a bus ride.

It is time to look to the positive and good aspects of our integrated school district and to try to continue improvement of the educational programs and the district image. This will encourage caucasian growth and stability, and it will be in the best interests of our children.

Sincerely,

LEAGUE OF WOMEN VOTERS
OF THE PASADENA AREA
/s/ MARGUORITE ERNSTONE,
Marguorite Ernstone,
President.
/s/ ELLEN WILTS,
Ellen Wilts,
Education Chairman.

UNITED STATES' EXHIBIT 3
(page 2)

Table 1. Student Assignment on the Basis of Living within ¾ Mile of a K-6 School Site.

School	C#	C%	N#	N%	SS#	SS%	O#	O%	Total	Permanent Capacity	Relocatable Capacity
Allendale	224	72.5	6	1.9	60	19.4	19	6.2	309	410	150
Altadena	396	49.6	299	37.5	76	9.5	27	3.4	798	840	—
Audubon	53	12.1	358	81.7	12	2.7	15	3.4	438	490	150
Burbank	312	84.8	13	3.5	35	9.5	8	2.2	368	520	120
Cleveland	21	3.4	565	91.9	26	4.2	3	0.5	615	610	—
Don Benito	271	96.1	2	0.7	4	1.4	5	1.8	282	780	—
Edison	112	18.6	439	72.8	37	6.1	15	2.5	603	380	300
Field	185	88.1	3	1.4	17	8.1	5	2.4	210	700	—
Franklin	79	12.1	512	78.2	48	7.3	16	2.4	655	490	180
Hale	243	76.7	7	2.2	48	15.1	19	6.0	317	550	210
Hamilton	348	66.2	9	1.7	119	22.6	50	9.5	526	610	60
Jackson	23	3.3	603	86.6	40	5.8	30	4.3	696	610	210
Jefferson	351	50.4	71	10.2	224	32.2	50	7.2	696	550	570
Lincoln	49	5.1	760	79.2	146	15.2	5	0.5	960	1050	—
Linda Vista	101	89.4	2	1.8	5	4.4	5	4.4	113	260	150
Loma Alta	219	38.1	318	55.4	24	4.2	13	2.3	574	580	30
Longfellow	468	51.6	225	24.8	152	16.8	62	6.8	907	900	90
Madison	184	23.9	342	44.4	225	29.2	19	2.5	770	640	210
Noyes	185	83.7	19	8.6	6	2.7	11	5.0	221	350	120
San Rafael	207	87.7	4	1.7	13	5.5	12	5.1	236	460	—
Sierra Madre	291	86.1	2	0.6	32	9.5	13	3.8	338	670	90
Sierra Mesa	252	92.0	2	0.7	13	4.7	7	2.6	274	520	30
Washington	49	6.0	682	83.3	69	8.4	19	2.3	819	900	—
Webster	459	87.8	17	3.2	22	4.2	25	4.8	523	730	150
Willard	277	73.1	3	0.8	86	22.7	13	3.4	379	900	120
Outside of ¾-mile radius for any school	374	62.3	54	9.0	139	23.2	33	5.5	600		

UNITED STATES' EXHIBIT 4.

Minutes of the Regular Meeting
June 20, 1972—No. 68

Page No.
17,883

Motion and Action.

Mrs. LaMotte Moved that the Superintendent's recommendation to reject the request to de-annex .265 square mile from the Pasadena Unified School District to the Temple City Unified School District be approved. The motion was seconded by Mr. Sheats and by a vote of 4-1 was approved and made the action of the Board. (Mr. Marcheschi voted "Nay" because he felt the parents should have the right to freedom of choice.)

UNITED STATES' EXHIBIT 5.

Minutes of the Regular Meeting
Pasadena City Board of Education
Pasadena Unified School District
Tuesday, November 23, 1971

Meeting
No. 23

Page No.
17,695

The Pasadena City Board of Education, acting as the Governing Board of the Pasadena Unified School District, met in Regular Session on Tuesday, November 23, 1971, at McKinley Junior High School, 325 South Oak Knoll Avenue, Pasadena, California.

The President called the meeting to order at 7:45 p.m.

The following members were present: Mr. Albert C. Lowe, President; Mrs. LuVerne LaMotte, Vice President; Mrs. Ann T. Hight; Mr. Henry Marcheschi; Mr. Samuel C. Sheats.

The following administrative officers were present: Dr. Ralph W. Hornbeck, Superintendent of Schools; Secretary to the Board of Education; Dr. Joseph P. Zeronian, Administrative Assistant to the Superintendent; Miss Grace M. McFarland, Assistant Superintendent for Elementary Education; Mr. Ramon C. Cortines, Assistant Superintendent for Secondary Education; Mr. A. C. Zemba, Business Manager; Mr. Charles L. Palmer, Administrative Director for Personnel; Mrs. Dorothy F. Fagan, Public Information and Publication Specialist.

• • • • •

Mr. Marcheschi's "New Pasadena Plan"

Mr. Lowe announced that time was now being allocated for the Board to discuss the proposed plan by Mr. Marcheschi. Mrs. Hight posed questions regarding the plan to Mr. Marcheschi, and a dialogue followed. Mrs. LaMotte said she was

always ready to consider new plans, but felt this proposed plan was a giant step backwards in terms of desegregation, and enormously disruptive. She suggested that at least two or three years be allowed to give the present plan a chance. She questioned the legality of the new plan and suggested that a legal analysis be made of it.

Mr. Sheats stated that he had spoken extensively at two previous meetings (November 9 and 16) and again urged the Board to reject the proposed plan. Mr. Lowe read a statement regarding his evaluation of the proposed plan, a copy of which is attached to the permanent minutes of the Board. Mr. Marcheschi then responded.

* * * * *

Presentation to the Pasadena Board of Education
by Albert Lowe
November 23, 1971

I appreciate the clear and forthright manner in which the proposal by Mr. Marcheschi and the response by Mr. Sheats were presented to the Board and community. I have attempted to objectively evaluate Mr. Marcheschi's proposal.

Goals

What are the goals against which an evaluation must be assessed?

I agree with several of the goals listed by Mr. Marcheschi (hereinafter referred to as Mr. M) in his first presentation on October 26, 1971, namely (in summary form):

1. The elimination of discrimination and purposeful acts resulting in forced segregation. (I would modify it to read "forced or encouraged segregation".)
2. Building inter-racial harmony and brotherhood through our schools.

3. Providing quality education to all children with special priority emphasis on raising the achievement level of low socio-economic children.

To the extent the above goals can be achieved through voluntary action, it is good. Failing that, however, a School Board still has a legal and moral responsibility to act. Very little in this country is achieved without some infringement on individual freedom (Mr. M's 4th goal). In America individual freedom and personal liberty have always been subject to the law. The law tells us when we must send our children to school, for how long, determines much of their curriculum, sets standards for their teachers, sets their graduation requirements, etc. We cannot violate the law in those and many other matters, regardless of our personal preference. Similarly, the law has also always had a hand in the determination of school attendance zones.

Characteristics of Mr. Marcheschi's Plan.

I understand the essential characteristics of Mr. M's plan to be:

1. Kindergarten to 3rd grade Primary and 4th-6th grade Elementary schools are changed to all kindergarten to 6th grade schools.
2. Neighborhood schools prevail in majority white areas.
3. Students of all racial groups who live in predominantly black residential areas are assigned and bused to white-area schools in such a way as to achieve racial balance among the "white" schools.
   However, black students may elect to attend virtually all-black schools in predominantly black residential areas. If 1 to 4 such schools were so designated, some black students would likely be bused to their all-black schools.
4. Audubon, Cleveland, Edison, Franklin, Jackson, Lincoln, Madison and Washington would be closed as integrated schools. Some would open as all-black schools. Washington Junior High and ultimately probably Muir would become all black.

5. A black sub-school board would be elected by blacks to operate the "black" schools, but would still be under jurisdiction of the PUSD Board.
6. Mexican-Americans could similarly have "their" elementary school the second year.
7. The basic principles of Mr. M's proposal seem to be:
   A. Let's integrate but the minorities and others who reside in "their" areas must bear the burden because the Caucasians won't put up with present plan, where they share the burden.
   B. Give the blacks who want it, "separate but equal" schools—run by blacks.
   C. Similarly give the Mexican-American their own elementary school.

Evaluation of Mr. M's Plan.

My analysis shows the following pluses and minuses of Mr. M's plan:

Pluses

1. Greater percent of Caucasians in some schools would likely be helpful to those schools.
2. When Caucasians aren't bused into minority areas, there may be less white exodus from predominantly white areas.
3. Will eliminate some of the feelings of racism by some blacks because those who complain could attend black schools run by blacks.
4. Provides a measure of self-determination by blacks and Mexican-Americans, two groups who historically have not had same.

Minuses

1. All burden of desegregation is placed on westside students and particularly on blacks. This is not fair.

2. All non-black students living west of Los Robles (approximately) would be bused all the time instead of just half their elementary years. Likewise for black students who opt for integrated schools. Unlike the present Pasadena Plan which keeps neighborhood children together, the new proposal encourages the breakup of many neighborhoods.
3. Probable tendency for wealthier blacks to opt for integrated schools leaving the low socio-economic blacks isolated.
4. Planned racial separation through a dual system—would be an official apartheid. This perpetuates detrimental effects of isolation, and prepares students for future racial conflicts.
5. Wouldn't we be short-changing black and Mexican-American students by teaching them in isolation thus failing to prepare for adulthood in a multi-racial society?
6. Lessens staff and community effort to learn to work with and understand minorities.
7. Setting aside eight elementary, one junior high and one senior high for black schools teaching "black pride", etc. will tend to drive out Caucasians and other non-blacks who live in those areas. They would *never* have a neighborhood school.
8. Eliminates the specialization advantages of K-3 and 4-6 schools.
9. Some schools (such as Allendale, Arroyo-Garfield, McKinley, and San Rafael) don't have sufficient site nor classroom capacity; schools with the largest sites (Don Benito, Field, Sierra Madre, Sierra Mesa) would have to become very large schools—probably 900 to 1,000 enrollment. McKinley, Eliot, and Wilson Junior High Schools would all be over-capacity.
10. Presuming we maintain approximately present proportions of black staff in integrated schools and provide all blacks to staff black schools there would be a surplus of white teachers. How do we absorb or discharge this surplus?

Observations

It appears to me that the minuses of Mr. M's plan far outweigh the pluses. I wonder if even the parents living in white neighborhoods would opt for the changes when they realize they are simply shifting the total burden and responsibilities onto the shoulders of westside students. I would think their consciences would bother them.

What purports to be a neighborhood plan is not quite so. About ⅓ of the students would never attend a neighborhood elementary school. On the other hand, under the Pasadena Plan nearly all students attend a neighborhood school ½ of their elementary years and they stay with their neighborhood schoolmates for the other half.

The stated freedom of choice provisions are also a bit misleading. For the non-blacks who have the option between nearby black "specialty" schools and cross-town integrated schools—is there REALLY a choice? And one might say the same for blacks who wish to become a part of the mainstream of American life.

Stabilizing Anglo Enrollment

I agree with Mr. M's desire to stop the decrease in Anglo-Caucasian enrollment in the school district. I do believe, however, that any whites who are "saved" by his plan would be offset by those we would "lose" because they would have to bear all the budens of our task. And we can ill afford to lose the latter group who are generally comfortable in an integrated setting.

Furthermore, let's put the exodus in the proper perspective. Of the 4,011 Caucasian enrollment drop over the past two years 2,897 were in the graduating classes. Some of the balance left for reasons other than our schools. While I recognize the loss of present students is a problem, I believe our major thrust should be toward attracting Caucasians to the district, particularly those who truly believe in an integrated society.

The problem is not the Pasadena Plan itself, but rather the conflict which has been promoted over it. Such a public controversy disturbs the foundations of the community, creates negativity and uncertainty, and causes many whites to reject the whole disturbance.

If there is any effort which can reverse the tendency of whites to flee from minorities (with or without busing) it will include:

1. Desirable programs and educational quality not readily found elsewhere.
2. An attitude that capitalizes on the benefits we can obtain from multi-racial schools as we work to eliminate the problems.
3. Replacing those who leave with people who want to make integration succeed.

I do not believe Mr. M's proposal is superior to the present plan in regard to long range ethnic stability.

Separate Minority Schools

If there is merit to considering separate minority schools I question the viability and legality of Mr. M's approach. His plan creates an apartheid, dual school system not unlike some that have been dismantled by the courts. His plan is backwards in that it discourages integration, and encourages segregation. The proper approach would be one which encourages integration with no burden placed on those opting for separation.

I would not be adverse to considering a single separate black school perhaps covering kindergarten through 8th grade on a pilot basis provided sufficient parental support was shown.

The Present Pasadena Plan

There is no perfect plan. But I do see more strengths, accomplishments and promise in the present plan than in any other ideas thus far submitted. Some of them are:

1. Kindergarten-3rd grade Primary and 4-6 grade Elementary schools have educational and behavioral strengths.
2. More people are working to solve difficult educational problems.
3. More district-wide concern and cohesiveness.
4. More constructive and innovative efforts are taking place.
5. More program offerings at our secondary schools than ever before—and more than any of our surrounding districts.
6. It's fair—the entire community is involved in our tasks.
7. Neighborhood youngsters are kept together.
8. It's educationally sound and provides potential for excellence in every school.
9. Unity and understanding is growing.
10. It's legal.

Some hopeful signs should be noted:

1. Arroyo-Garfield Primary School—now in its third year of integration—showed an increase of Anglo-Caucasian students this year.
2. Washington Elementary School had a reduction of only 7 white students this year—and the 4th grade have more whites than did last year's. Most of their white students come from across town and apparently most are staying.
3. Blair High School lost only 17 white students last year. Muir lost 95, its smallest drop in years (excluding the year of redistricting). But Pasadena High School drawing almost all of its white students from its own "neighborhood" lost 481. Question: Is it the attitude rather than the proximity that brings white flight?

Our task? To analyze these and other similar successes to see what they've done that we can replicate. We may therein find THE major keys to success.

Conclusion

In conclusion, I wish to express my sincere appreciation for the time, effort, and concern evident in Mr. Marcheschi's proposal. At this point it does not appear to me to have sufficient advantages to warrant adoption. Indeed, it appears that such a plan with its discriminatory elements and apartheid provisions would be illegal. Perhaps a legal opinion from County Counsel to clarify that point would be in order.

Mr. Marcheschi's proposal is like a package tied with the pretty ribbons of alleged volunteerism, freedom, and self-determination which upon closer examination proves to be essentially false glitter with ominous content. It does, however, remind us of the concerns by some citizens over the present plan.

In the weeks ahead I shall endeavor to find new means of minimizing the happiness and satisfaction of all the students and parents in this school district. Perhaps there are other ways we can provide alternatives for those who are dissatisfied with the present Pasadena Educational Plan.

Meanwhile, I think it is time to stress a positive approach on the whole matter. Let's tell the world that Pasadena believes that integration with all its tasks is a giant PLUS—and that Pasadena is building academic strength, unity and understanding with an attitude of one-for-all and all-for-one. Come and join us!

Albert C. Lowe

UNITED STATES' EXHIBIT 7.

MINUTES OF THE REGULAR MEETING
PASADENA CITY BOARD OF EDUCATION
PASADENA UNIFIED SCHOOL DISTRICT
Tuesday, January 9, 1973

Meeting No. 40 — Page No. 18,023

The Pasadena City Board of Education, acting as the Governing Board of the Pasadena Unified School District, met in Regular Session on Tuesday, January 9, 1973, at its regular place of meeting, 351 South Hudson Avenue, Pasadena, California.

The meeting was called to order at 5:04 p.m.

The following members were present: Mrs. LuVerne LaMotte, President; Mrs. Ann T. Hight, Vice President; Mr. Albert C. Lowe; Mr. Henry Marcheschi; Mr. Samuel C. Sheats.

* * * * *

Mr. Marcheschi made a presentation of his new plan entitled, "Neighborhood School/Integration Zone Plan for Grades K-6", a copy of which is attached. A discussion followed the presentation and Mrs. Hight requested that the staff study this plan. Mrs. LaMotte suggested a "One-Quarter Mile Radius Plan". The Board instructed the staff to review and evaluate Mr. Marcheschi's new plan, the "Minimum Plan", and Mrs. LaMotte's "One-Quarter Mile Radius Plan", in order to modify the court approved Pasadena Plan.

* * * * *

UNITED STATES' EXHIBIT 8.

SOME NEW AND UNIQUE PROGRAMS OFFERED BY THE PASADENA UNIFIED SCHOOL DISTRICT.

Pasadena public schools provide a learning environment in which students may grow and develop at their own pace and acquire the skills which they will need to be a productive and contributing member of the society in which they live whether it be in the school community, the family unit or the world of work.

Among the skills are the ability to communicate effectively, to reason concretely and abstractly and to develop a method of inquiry which will lead to solutions of problems.

Additionally, they are exposed to the concept that each person has an intrinsic worth and that the development of the individual's potential will lead to self fulfillment and improvement of the society in which he lives.

The following are examples of the programs which put Pasadena schools in the forefront in public education:

Primary Schools—Kindergarten, Grades 1-3.

Discovery Rooms—Offers Learning Centers in math, science, art, literature

Grayce Ransom MultiMedia—Develop reading ability of boys and girls. Learning Centers in each classroom

Nongraded-Multiaged Discovery—Resource—Children make choices of language—arts—math—crafts—typewriting—business machines—etc.

Project Aim—Achieving improvement in mathematics. Building concepts—improve problem solving ability and skill building

Reading Program—Reduced Class Size—Movement Education—Small groups for reading instruction. Movement Educa-

tion relates physical development skills to reading carry-over

Compensatory Education—13 schools—$430 extra behind each student for development of basic skills

Special reading teachers

Resource teachers

Elementary Schools—Grades 4-6.

Flexible Modular Scheduling—Three schools in one departmentalization. 50-minute modules with regrouping each hour in subject areas

Minicourses—two-week classes in unusual subjects

Modular Scheduling Program—Teacher specialists in subject areas. Extensive elective program offered

Team Teaching—Learning stations in math, reading and social science

Tutorial program

Team presentations in each curriculum area

Saturday Science Workshop at Caltech—Prepare students for a science career

Ungraded programs

Hoffman Reading Program

Instrumental Music Instruction

Junior High Schools—Grades 7-8.

Directed Tutoring in Reading—High school tutors work with junior high students on 1-1 basis

Thinking and Communications—Elective for grade 8 students

Manual Communications Skills—Emphasizes communications with deaf. Students learn to communicate through sign language and finger spelling

English-Reading—Library usage and linguistics

Minicourses—Classes typically offered for a two-week period—Portuguese, Greek, Beethoven, California Classical Tour of Italy, Cinematography

Whereack Program—Students go into the community to study "where the action is". Programs teach students about the community and its resources through trips to governmental agencies, professional, cultural and business operations.

Gifted Program—Saturday classes—Grades 5-12

The "Vistas" program will offer classes in the arts, sciences and cultural activities

A minimum of 200 minutes of special instruction per week at the primary and elementary levels

Advanced classes in mathematics, English, General and Social Science, World History, U. S. History are offered at our secondary schools

Advanced placement classes

Senior High Schools—Grades 9-12.

Batik Tie and Dye—Principles of Design

Experimentation with batik tie and dye and other resist methods

Cartooning—Basic instruction in figure and still life drawing, leading to caricature

Independent Study—Art

Composition and Critical Thinking—11th and 12th grade students who have completed 10th grade English. Language as a tool of thought and communication. Frequent practice in written expression

Man's Search for Values—Humanities—literature, music and art, major works of English and continental literature

Language and Literature of Films—Upgrade the critical attitudes of students so that they may select and evaluate films which will favorably influence personal behavior and ideals

Bell and Howell Electronics—To help career planning in electronics. Electronics class for students with detailed lesson plans

Pre Calculus I—II—III—Accelerated program beginning in grade 9 terminating with 1½ years of calculus to prepare students for Advanced Placement examination

Mathematics Achievement Program—Raise achievement level of high school students in mathematics
Funded under Title III ESEA $100 M

Musical Comedy Workshop—To introduce students to correlating acting, directing, costuming, singing and choreography

Student and Law Enforcement—Strengthen relationship between law enforcement, the school and the community at large; to acquaint students with criminal law, how it affects people and the role of police in our society

Introduction to Construction—Pasadena Unified School District and San Gabriel Valley Building Industry Association
Designed to teach construction from practical experience of remodeling and building a real house in the community

Introduction to Television—Operation of camera—audio—lighting—videotape recorder—etc.
To give a student a working knowledge of television technicians job

Law Enforcement Training—Identify and indoctrinate future law enforcement personnel

Nursery School Aide Program—Provide a multiethnic laboratory for young high school women students to be involved in preschool education of young children

Paramedical Operations (Nursing Aide)—To increase student's knowledge and provide experience in the basic principles of health maintenance

Printing and Offset Lithography—Introduction to lithographic printing. Practical experience in basic photography and graphic arts photography

Restaurant Occupation—Cooking and serving laboratory providing principles of food preparation and work experience with restaurants

Television Studio Technician—Train students for employment in TV studios

Expanded School Program—Members of community teach high school students at sites away from classroom at times other than regular school hours. Examples—Desert exploration—Environmental structures and human organization—Music and Dance improvisation—Ballet for modern dancers—Economic workshops

Inner School—Alternative plan for meeting district and state requirements—a three-period block of time, students have options in English, social science and physical education and other selected subjects. Students use community as a school.

Learning and Counseling Center—Assistance to students in development of attitudes, study habits, basic skills and personal responsibility.

Minicourse Program—Approximately 400 elementary students are assisted by high school students and by the tutoring and teacher aide program. For example—drama, French, German, Spanish, guitar, music and math.

Pasadena College "Professional Experience Practicum"—For ninth grade students—teacher trainees are assigned to a "cooperating teacher" and a resource person to assure competency in the teaching of reading in a given subject area.

Evening High School Program—Provides educational alternatives to regular day high schools.

Foreign Languages—Six foreign languages offered through fourth year of instruction—Latin, German, Russian, Chinese, Spanish, French.

Computer Program—Program gives "hands on" experience.

Accelerated Classes—Classes qualifying college-bound students for advanced placement in college.

For further information, please call Education Center, 795-6981, ext. 252.

UNITED STATES' EXHIBIT 11.

November 1, 1972

ENROLLMENTS AND ETHNIC DISTRIBUTION:

For the past 24 years, Anglo-Caucasian enrollment has been declining in Pasadena Schools. Now, for the first time, the number of Anglo-Caucasian students has fallen below 50%.

* * * * *

The final figures on End of First School Month Enrollments and Racial and Ethnic Distribution of students in the Pasadena Unified School District have been compiled by the District's Data Processing Department. The following points are of interest:

Enrollments.

The District had estimated that total end of first school month enrollments would be 26,144 students—a reduction of 1403 students from the previous year. The actual end of first school month enrollment figure for this year is 26,225—a reduction of 1322 students. (Preliminary figures had indicated a 1200-student reduction; however, these figures were obtained by a telephone survey conducted by the Department of Planning, Research and Development at the end of the first school month.)

In terms of grade levels, the estimated enrollments and the actual enrollments were:

	Estimated Enrollments	Actual Enrollment	Difference
Grades K-6	13,497	13,464	−33
Grades 7-8	3,953	4,038	+85
Grades 9-12	8,694	8,723	+29

Thus, it can be seen that the anticipated enrollment decline is continuing in Pasadena as elsewhere within the State of California and in the nation. For example, when five comparable

urban school districts were polled, the figures indicated that all were experiencing student enrollment losses ranging from 1.6% to 5.3% (from 208 fewer students in Santa Monica to 1952 fewer students in San Bernardino).

* * * * *

Racial and Ethnic Distribution.

The report covering the racial and ethnic distribution of the student population of the Pasadena Unified School District shows the continuing downward trend in Anglo Caucasian enrollment. This phenomenon has been occurring for 24 years and is shown in the accompanying figure. As of October 6, 1972, the Anglo Caucasian enrollment comprised 46.8 percent of the student population of the Pasadena Unified School District.

* * * * *

UNITED STATES' EXHIBIT 13.

PASADENA UNIFIED SCHOOL DISTRICT
Education Center
351 South Hudson Avenue
Pasadena, California 91109

January 23, 1973

From: Ramon C. Cortines

Subject: Evaluation of Plans for Assignment of Kindergarten Through Sixth Grade Students to Schools in the Pasadena Unified School District.

The goal of public education within the Pasadena Unified School District is to provide the best education possible for *all* students within the limits of available finances. In this regard, the Board of Education is trying specifically to

- Determine the best system of assigning students so that strong educational benefits are provided.
- Determine the best educational system that will provide an integrated environment which stimulates and encourages the multi-cultural diversity present within our community.
- Determine the best educational system that will provide a positive attraction for Anglo-Caucasian families to settle within the boundaries of the Pasadena Unified School District.

In trying to achieve these sub-goals, a number of plans have been advanced for the assignment of students to schools in the Pasadena Unified School District. As Superintendent, I have been instructed by the Board of Education to prepare a staff evaluation of four plans:

1. The on-going "Pasadena Plan" (Appendix A).
2. A plan proposed by Board Member Mrs. LuVerne LaMotte, called the "One-Quarter-Mile-Radius Plan" (Appendix B).
3. A plan proposed by Board Member Mr. Henry Marcheschi, called the "Neighborhood School/Integrated Zone Plan for Grades K-6" (Appendix C).

4. A plan that would satisfy the minimum requirements of Judge Real's Federal Court Order, called the "New Minimum Plan" (Appendix D).

Of these four plans, No. 3 and No. 4 call for returning to all K-6 schools. The other two assume retention of K-3 and 4-6 schools. Because of the particularly great impact of this matter on the entire community and, particularly, to school children and school personnel, I am requesting your organization to contribute its valued and thoughtful input into this evaluation.

A rating sheet listing the criteria on which these four plans are to be rated is attached. Please rate each proposed plan on a scale of from *0* to *10* on the basis of your agency's considered opinion:

0	1	2	3	4	5	6	7	8	9	10
Poor					Moderate					High

Space is provided on the rating sheet below each criteria for your comments. Should your organization desire to explain its rationale for a particular numerical rating, this will be the appropriate place to do so. Please attach additional sheets if more space is needed. However, brevity is encouraged.

When your organization has rated each plan on each criteria, please sign the evaluation form and return it to the office of the Superintendent for analysis.

It will be most helpful if completed forms are returned by February 5, 1973. However, careful consideration is more important than haste. If you are unable to meet the February 5 date, aim for February 12, and, in any case, responses will be accepted no later than February 26, 1973.

Thank you for your assistance in this most important matter.

Sincerely yours,

RAMON C. CORTINES,
Superintendent of Schools.

RCC:hn
Enclosure

Appendix A.

THE ONGOING "PASADENA PLAN".

* * * * *

Since the most important component of the Pasadena Plan was the improvement of the instructional program, all schools have developed a great variety of educational offerings. New approaches to reading and mathematics, a broad selection of electives at the junior and senior high schools, an expanded program for gifted students, expanded career and vocational education courses, and advanced placement classes are but a few samples.

Appendix C.

NEIGHBORHOOD SCHOOL/INTEGRATED ZONE PLAN FOR GRADES K-6.

General.

This Plan is based on the K through 6 system that the District had prior to the court order. In addition, the Plan closely parallels the first step used in developing the current "Pasadena Plan"—namely, a grouping of K-6 schools into four ethnically balanced zones. From that point on, the Plan is new.

The steps required to implement this plan are:

1. All 25 District primary (K-3) and elementary 4-6) schools will be redesignated as K-6 schools.
2. The 25 schools will be grouped into four zones on the basis of ethnic considerations. Thus, the ethnic balance of each zone will approximate that of the District as a whole.

   Note should be taken of the fact that the zones are so constructed that the pairings necessitated by the present "Pasadena Plan" (for example, Don Benito for Grades K-3, then to Washington Elementary School for Grades 4-6) would be abandoned. Thus, students who live near Don Benito could choose this school for all of their K-6 education while students who live near Washington Elementary School could do likewise.
3. Each student can attend any school within his zone.
4. Financial incentives in the form of people, resources, programs, transportation, etc., would be provided to achieve *voluntary* racial balance at *each* school with a zone.

The resulting system would seek to balance ethnic concentrations of students at any given K-6 school site on a voluntary basis using incentives of many forms.

PASADENA UNIFIED SCHOOL DISTRICT.

Department of Planning, Research and Development
351 South Hudson Avenue
Pasadena, California 91109

March 9, 1973

The Superintendent wishes to express his appreciation for your efforts in evaluating the four plans for student assignment in the Pasadena Unified School District. A summary of the results of the evaluation is enclosed. As you can see, the Pasadena Plan was the clear choice of the majority of evaluators except on a few questions.

The results of the survey were reported to the Board of Education on Tuesday, February 27, 1973, and appeared in the Star-News on Friday, March 2, 1973.

Sincerely,

/s/ PETER F. HAGEN,
Peter F. Hagen,
Administrative Director for Planning, Research and Development.

PASADENA UNIFIED SCHOOL DISTRICT.

Department of Planning, Research and Development.

Memorandum.

January 29, 1973

To Mr. Ray Cortines

From Peter F. Hagen

Subject Distribution of Memorandum and Questionnaire to Evaluate Four Plans for Student Assignment to Schools

The memorandum and questionnaire for evaluating the four plans for student assignment in the Pasadena Unified School District were mailed to the following agencies on Friday, January 26:

Mrs. Carl Sidle
Sierra Madre Task Force

Dr. James King
Black Task Force

Captain John Marshall
Communications Committee

Mr. Joe Wilson
Mexican American Task Group

Mr. Saul Glickman
American Federation of Teachers

Mr. Harold Sarnecki
Pasadena Education Association

Mrs. Effie Green
Classified Employees Meet-and-Confer Committee

Mr. Don Hill
Association of Pasadena School Administrators

In addition, complete packets of these materials were mailed to each board member on Monday, January 29.

P. F. H.

UNITED STATES' EXHIBIT 14.

Minutes of Committee to Modify Pasa. Plan 1973.

* * * * *

Minutes of Planning Session No. 2

Committee to Modify Pasadena Plan

September 13, 1973

7:30 a.m.—9:30 a.m.

Board Room, Education Center

Committee Members Present:

Louise Coover, Ramon C. Cortines, Willard Craft, Dorothy Fagan, Linda Gough, Peter Hagen, John Haines, Henry Marcheschi, Ed Maya, Dorothy Nelson, Lyman Newton, Joe Zaronian.

* * * * *

Minutes—Planning Session No. 2.

September 13, 1973.

Page 2.

* * * * *

Because Mr. Newton had to leave early, Mr. Marcheschi outlined for his benefit and for the benefit of the rest of the committee members, the following five concepts which he feels are important in any reorganization plan:

1. Provide parents with a freedom to send their children to the school of their choice.

UNITED STATES' EXHIBIT 15.

INNOVATIVE AND CHALLENGING PROGRAM OFFERED BY THE PASADENA PUBLIC SCHOOLS.

Preschool Through 12th Grade

Board of Education

Mrs. LuVerne LaMotte, President
Mrs. Ann T. Hight, Vice President
Albert C. Lowe, Member
Henry Marcheschi, Member
Samuel C. Sheats, Member
Ramon C. Cortines, Secretary and Superintendent of Schools

Administration

Ramon C. Cortines, Superintendent of Schools
Grace M. McFarland, Associate Superintendent for Schools and Educational Services
Dr. Joseph Zeronian, Associate Superintendent for Operations and Personnel
Mrs. Hubert Siegel, Design and Layout
John E. Doran, Photograph

- Is your knowledge of Pasadena Public Schools up to date? Do you know that Pasadena Unified School District offers students more opportunities for learning in more subject areas than most school districts?
- Are you aware of the outstanding community resources available in Pasadena to supplement the Pasadena Unified School District's Educational program? Think of the advantages of working with jet propulsion laboratory, Caltech, Pasadena City College, Pasadena College, Pacific Oaks, Fuller Theological Seminary—to name a few.

- Do you know that 68% of our high school graduates continue with their education? Do you know that Pasadena Unified School District's 1972 graduates were accepted at leading colleges and universities throughout the United States including such institutions as California Institute of Technology, Stanford, Princeton, Harvard, Swarthmore, Dartmouth, Massachusetts Institute of Technology, Pomona and the Universities of California?
- Take just a minute to glance through this publication. It will tell you about some of the innovative and challenging programs the Pasadena Public Schools offer to the children and youth of Pasadena, Altadena, Sierra Madre and portions of the unincorporated Los Angeles County area.

Pasadena, California, March, 1973.

Specializing in Early Childhood Education.

Pasadena's 14 primary schools specialize in the education of children ages five to nine in kindergarten through third grade. Emphasis is on the basic skills of reading and mathematics.

Each student is tested at the beiginning of each school year to find out what skills in reading and mathematics he has already learned and on what skills the teacher should start working with him. This method is called the diagnostic and prescriptive approach and is used throughout his primary-elementary years.

A profile is kept for each student and each skill learned is carefully noted and becomes the basis for building a new learning opportunity for him.

Allendale Primary School

- recognized as having an outstanding reading program and candidate for a model state program
- proud of its Junior First Program: a combination of a mature kindergarten and a first grade class, two teachers

using activity learning stations and a special reading program

- using 31 Blair High School students as individual tutors three days per week
- orients new parents with home-school visits by the staff

Audubon Primary School

- pioneering two ungraded classes of first, second and third graders in an open structure program
- offering a morning kindergarten program organized around three centers: mathematics-science-construction, music and movement
- piloting "Asian Americans in our Community" for third graders, a program funded by the Rosenberg Foundation to guide children in dealing with problems of prejudice and stereotyping
- involving students, parents and staff in "New Awareness Program" in which improvement of a student's image of himself accompanies a similar improvement in achievement
- organized along a self-contained classroom approach, one teacher and an aide working with the same group of children. Opportunities are provided for children to succeed as persons as well as learners of skills
- emphasizing the skill areas of reading, language and mathematics
- providing opportunities for individual and group problem solving, and giving each child at least one opportunity to participate in a stage production
- promoting creative expression and original thinking through class meetings

Don Benito Primary School

- using Glasser's "Schools Without Failure" approach to learning
- known as the "Friendship School" because of the warm relationships students have developed for one another
- the setting for a Los Angeles County television series, "I Can Read"
- using learning centers to individualize instruction

Franklin Primary School

- the first to offer an instrumental music program to second and third graders
- experiencing significant gains in reading and mathematics through Achievement in Mathematics (AIM), Title I (compensatory education) and Harper-Row tutorial reading program
- giving children an opportunity to appreciate the cultural side of learning through special classes in music and art

Hamilton Primary School

- an outstanding example of individualization of reading instruction through tutorial services
- cooperating with Pasadena High School in "Reading Techniques," a class benefiting Hamilton students and would-be teachers
- teaching English to 54 non-English speaking students representing eight different languages
- helping children to improve their reading skills through Simple Steps Upward Program

Jefferson Primary School

- organized along three broad types of teaching styles: traditional-one teacher classrooms, modular scheduling and multigraded approaches
- offering movement education, reading and mathematics specialists and English as a second language classes
- working with UCLA as a training laboratory for prospective teachers
- one of the 15 in the League of Cooperating Schools

Linda Vista Primary School.

- one of the new (1972) "core" schools (a core building is one which has its classrooms built around a central resource learning center
- using learning centers in each classroom to give all students learning experiences over and above regular classroom instruction
- the first to have new playground equipment designed and built by parents using discarded tires and power poles described in October issue of *Sunset Magazine*
- a fine example of its motto, "Happiness is Linda Vista"

Noyes Primary School.

- finding its Pupil Tutorial Reading Program is successful in the first, second and third grades where it began
- planning to extend its Pupil Tutorial Reading Program to kindergarten immediately
- involving almost 50 parents in an ongoing school workshop devoted to creation of instructional materials
- has three specialists assisting teachers in development of arts and crafts, kindergarten and first grade readiness activities and counseling services

San Rafael Primary School.

- using the latest child development theories of learning (Piaget's) as a basis for instruction
- successfully involving all students in Project AIM (Achieving Improvement in Mathematics) with the aid of seven additional adults
- the setting for a special education class for deaf children

Sierra Madre Primary School.

- offers 90 minutes of reading instruction daily to every student
- works with Pacific Oaks in providing an enriched Discovery Room program
- rehabilitated last year at a cost of $627,000 using 1967 bond funds
- individualizes physical education skills through the movement education program

Sierra Mesa Primary School.

- uses tutors from a Pasadena High School class in reading
- offers students conversational French four days a week taught by a volunteer teacher
- provides learning stations in most classrooms in reading—and some in mathematics
- has a student council composed of two representatives from each class who meet weekly to work toward making their school better
- offers an open structure program as an alternative for the teaching of reading, mathematics and language arts
- uses the multi-modal, multi-media reading system in basal reading, language experience and liguistics

- has an outstanding movement education program relating development of motor skills to improvement in reading
- offers a special federally funded (ESA Title I) program of instruction in reading and mathematics for underachieving children

Willard Primary School.

- teaches specific basic skills through a learning center approach
- provides Grayce Ransom learning skills in all classes
- uses special project funds for reading and mathematics resources centers
- bases classroom organization on Glasser's "Schools Without Failure" philosophy
- has a firmly established movement education program
- offers a wide selection of minicourses

Expanding Instructional Horizons.

Pasadena's 11 elementary schools build on the fundamental skills children learn in the primary schools. Reading and mathematics are still stressed. Science, social studies, music and art are an important part of the child's learning experience. Instrumental music instruction is offered beginning in the fourth grade.

Altadena Elementary School.

- offers a massive minicourse selection from girls learning to change a tire to fourth-year French lessons
- provides a student adviser program to give guidance to all students and parents

- uses Glasser's "School Without Failure" philosophy for learning opportunities
- uses flexible modular scheduling in organizing the teaching-learning process. Each subject is offered in a 50-minute block of time module taught by specialists in the field

Cleveland Elementary School.

- first to offer Junior Great Books Program
- home of the Young Artists who perform for fellow students, television and the Pomona Fair
- cooperates with Occidental College in a language arts and a poetry project for students
- offers a sunrise-and-noon library time with services of an instructional aide available

Edison Elementary School.

- established the first mathematics laboratory staffed by a full-time teacher for all classes
- offers a structured tutorial reading program based on the successful Soto Street School pattern

Hale Elementary School.

- adopted the Grayce Ransom Reading Program as its basal system of instruction in reading
- opened a new library this year which also functions as a learning and resource center
- organized around teaching teams at every grade level
- uses Victory Park as an outdoor classroom for movement education and science classes

Field Elementary School.

- capitalizes on teacher strengths by offering a modular scheduling program with students going for instruction to experts in their field
- provides tutorial services based on the Soto Street School program using students within the school with great success
- offers an Opportunity Room Program serving 90 students in individual or small groups assisted by a teacher and an instructional aide

Jackson Elementary School.

- proud of its open structure classrooms, staffed by parent aides which group fourth, fifth and sixth graders according to achievement rather than grade level
- assigns a teacher and instructional aide to guide children in science and art projects in the Discovery Room
- participates with Occidental College in the Research and Teacher Evaluation (RATE) project which provides a full-time reading teacher and Occidental student teachers to work with children in reading and language arts
- offers special programs developed by resource people from the community including American Field Service foreign students, parents and Occidental College professors

Lincoln Elementary School.

- offers a cross-grade plan of reading instruction daily for 90 minutes for all students
- involves in a daily reading program: three specialist teachers, 12 classroom teachers, an English-as-a-second-

language teacher, two full-time aides, eight part-time student aides from Occidental College, a teaching assistant from University of Southern California, five students from Cal State, Los Angeles
- continues the flexible use of the Discovery Room learning centers (established during the RATE project with Occidental College) for cross-grade reading instruction, multigraded open structure program for Mentally Gifted Minors (MGM) and the ongoing enrichment program for all classes

Loma Alta Elementary School.

- formally opened a tastefully furnished 5000-volume library which started in a custodial storage closet two years ago
- offers team teaching in mathematics, reading and social science using learning stations adapted from Grayce Ransom program and a tutorial program from Soto Street School
- offers a cross-graded (4-5-6) reading and mathematics program using the diagnostic-prescriptive approach to learning under the direction of two teachers, a student teacher and several SERVE volunteers

Madison Elementary School.

- converted a large former kindergarten area into an Independent
- instructs from the tutorial services provided by Blair High School students three days a week
- offers minicourses taught by Blair students in art, music, public speaking, and the dance
- has a bilingual program with a bicultural approach for Spanish-speaking children taught by a qualified teacher and an instructional aide

Longfellow Elementary School.

- organized for self-contained classroom instruction, team teaching and some departmentalization at every grade level
- offers a twice weekly program for reading and mathematics instruction, "After School Fun Time," in which students prepare food using printed recipes and ingredients donated by well-known food companies
- benefits from the tutorial services provided by Pasadena College students in reading and fine arts

Washington Elementary School.

- introduced two new approaches to the teaching of reading and mathematics: Grayce Ransom Reading Program and Fresno Mathematics Program
- offers students a totally individualized computer program for drill and practice in mathematics
- has amassed a 15,000-volume library for student use

Challenging Individual Interests.

Pasadena's four junior high schools continue instruction in the basic skills to introduce more specialized subjects to provide for the student's greater range of interest. Individual talents are nurtured and specialized classes in mathematics, language, science and foreign language are offered.

Eliot Junior High School.

- individualizes instruction in a series of small classes (10 students) held in the Learning Center daily
- sponsors ERAC, an amateur radio club, for science and electronic students

- offers "Student and the Law," a two-week minicourse which provides instruction in the judicial system, law enforcement and correction systems using the community agencies as a classroom
- has the only California Cadet Corps program at the junior high school level

McKinley Junior High School.

- has 20 student teachers from Cal State Los Angeles working with individual students five hours a week
- provides a computer class for its eighth grade students at Blair High School
- offers 11 group counseling sessions on a weekly basis
- sponsors the "Whereac" Program in cooperation with Cal State Los Angeles. Students go into the community to explore its resources, employment and career opportunities

Washington Junior High School.

- involves all faculty members and students in an intensive reading program using the Vail Phonics series and Hoffman Reading machines
- offers a concentrated English program focusing on spelling and using parents and SERVE volunteers as tutors
- has 20 students participating in a Saturday science workshop at Caltech
- offers a 12-hour minicourse in the use of the slide rule for students, parents and faculty
- pioneered the successful "AB-938" Mathematics Improvement Program

Wilson Junior High School.

- individualizes learning using Pasadena City College students as paid instructional aides
- provides student tutorial services to Willard benefiting both junior high and primary youngsters
- center for junior high school educationally handicapped children
- individualizes mathematics instruction through smaller classes and teacher-designed materials

Preparing for College and the World of Work

Pasadena's high schools provide college-bound students with a meaningful sequence of academic subjects and a wide variety of elective courses to appeal to individual interest and ability.

Approximately 63 percent of the graduating seniors chose to further their education.

Preparation for the "world of work" is also a high priority. Work experience and career guidance classes are a significant part of the 430 different courses offered at the high school level.

Blair High School

- offers a comprehensive program of academic and vocational studies, on arts and athletics
- developed an "Inner School" program based on teacher-student contracts which allow students to plan their own courses with teacher guidance
- provides tutoring for individual students from Allendale, Jefferson and Madison as fulfillment of field work required for course in applied behavior in science
- offers paramedical occupations class in cooperation with Huntington Memorial Hospital

- offers a nursery school aide program in cooperation with the federally funded nursery school program. Four-year olds attend school on the Blair campus and provide the setting for involving young women in the education of young children
- offers instruction in electronics in cooperation with Bell and Howell
- reports 1972 graduates attending Dartmouth, Massachusetts Institute of Technology, Stanford, University of California, Smith and Barnard

Muir High School

- offers 15 unique program alternatives for instruction and learning
- had six 1972 graduates accepted at Caltech
- emphasizes career oriented programs in business, homemaking and industrial arts. Students achieve job placement level upon completion.
- staffs a reading center with two teachers to provide full-credit courses in reading, a minicourse in study skills, individualized help and cross-age tutorial services
- offers a federally funded Mathematics Achievement Program in a laboratory setting based on the learning theories of Swiss psychologist Jean Piaget
- improves reading proficiency of ninth grade students using the tutorial service of teacher trainees from Pasadena College
- reports 1972 graduates attending Stanford, Swathmore, University of California, Princeton, Pomona and the Universities of California

Pasadena High School

- largest school district facility and saff permitting flexibility and diversity —illegible—
- known for its outstanding Marching Band and Girls' Drill Team
- has 160 students in its tutorial program providing individualized instruction to students in Field, Hamilton, Sierra Mesa, Hale, Washington Junior High School and the Pasadena High School learning center
- offers students "on-the-job" training as nursery school aides in six licensed day nurseries
- published the results of the collaboration of three Pasadena High School students in an independent study project, "The World is Your Classroom
- has a Black Studies resource center directed by a full-time teacher assisted by an aide
- with Blair and Muir offers "hands-on" computer instruction
- reports 1972 graduates attending University of California, Harvard, —illegible— Radcliffe, Occidental, Stanford and Pomona College

Additional Programs at All Schools

All high schools offer a series of three precalculus courses to prepare student for advanced placement examination, and

- a Saturday construction program in cooperation with San Gabriel —illegible— Building Industry Association
- classes in television programing and production
- four years of six foreign languages (French, Spanish, German, Latin, Russian and Chinese)
- independent study programs and advanced placement clases

- class in printing, offset and lithography
- outstanding opportunities in science
- Twenty Pasadena students viewed the last Apollo space launching at Cape Kennedy in December

Special Schools Meet Special Needs

Alternative School

Established in the Spring of 1972 as a planning school, the Alternative School seeks to provide students, ages 4-17, with the best educational experience possible based on a combination of the basic skills and other subject areas which they and their parents choose.

The University of Massachusetts provides consultant services and both graduate and undergraduate interns to assist the teaching staff. The 100 students who attend the school were selected from more than 1200 applicants.

The Alternative School encourages "learning to learn" activities and problem-solving approaches which prepare the student to continue his education in the traditional or regular school program.

Children's Centers

Children's Centers provide supervision and instruction for children of parents who work or are in training. They are primarily from one-parent families. Usually the sole parent is the mother. Children from two years of age through the elementary school years are eligible.

There are five nurseries for the prekindergarten child who attends all day. The school age child is accommodated in six centers where he has supervision and instruction before and after school and all day during school vacation periods.

Diversionary School

The Diversionary School is operated in cooperation with the Human Relations Division of the Pasadena City Manager's Office. This school provides educational experiences for pupils expelled from public schools as a rehabilitation service.

Evening High School

The Evening High School Program is designed to provide educational alternatives to the regular day high schools and the continuation high school. It is housed at Blair.

Attendance is voluntary and school is in session evenings, Monday through Thursday. Classes are coeducational and ungraded. Many students are engaged in independent study. Achievement and mastery is stressed more than the amount of time spent in the classroom.

Foothill High School

Foothill High School receives students from the regular high schools who can not function in those settings successfully because of social or behavioral problems.

A broad general education including practical arts is offered based on a modular scheduling plan of operation. Each student chooses the modules of instruction best related to his needs and capabilities after an intensive counseling session with his parents.

Inner School Program

The Inner School is an alternative plan for meeting school district and state requirements. It functions for a three-period block of time and students have options in English, social science, physical education or selected electives.

Students can meet requirements for three out of six classes in the Inner School. Learning opportunities are provided both in

school and in the community. Students meet in groups, take tours, tutor one another and use the community as a school.

Intermediate Opportunity School Program

The Intermediate Opportunity School Program serves those junior high school students who have serious learning or behavior problems. Boys attend classes in the morning, girls in the afternoon. In addition to instruction in the basic skills, the practical skills of homemaking and shop are offered.

Preschool

Preschool classes are offered for approximately 255 three- and four-year-old youngsters at nine locations. The program is designed to provide enriching experiences, field trips, parent activities, hot lunch and instruction for those children needing further experience before entering kindergarten or are billingual or who have other special needs. Two classes are located in high schoools (Blair and Muir) and give training to young people interested in working with young children.

Roosevelt School for the Handicapped

Students who are not eligible for enrollment in any other school program because of serious physical or mental handicaps may attend Roosevelt School for the Handicapped.

Roosevelt enrolls students from 3 to 21 years of age. The goal is to help them develop their basic potential to its maximum in the physical care of their persons, communication with others, and the development of improved muscle control.

Educational Directors

Four educational directors have been named by the Board of Education. They are responsible for the administration of a

group of schools, kindergarten through senior high school. Their responsibilities include the development of curriculum and budget, expenditures of funds, employment and assignment of personnel and communication with their total community, students, parents and teachers.

The educational directors are:

Area I
Eugene Lambert

Schools
Pasadena High
Washington Junior High
Longfellow
Washington Elementary
Hale
Franklin
Burbank
Hamilton
Don Benito

Area II
Edward Shutman

Schools
Muir High
Eliot Junior High
Altadena
Loma Alta
Madison
Edison
Sierra Madre
Noyes
Audubon
Jefferson
Sierra Mesa

Area III
Donald Hill

Schools
Blair High
McKinley Junior High
Wilson Junior High
Jackson
Cleveland
Lincoln
Field
Allendale
Linda Vista
Willard
Webster
San Rafael

Area IV
Dr. Frank Welch

Schools
Alternative School Programs
Roosevelt
Intermediate Opportunities
Evening High School Program
Foothill High
Diversionary
Special Education
Psychological Services

This brochure describes only a few of the programs offered to students in the Pasadena Unified School District.

If you would like more information about the programs described in this newspaper, we invite you to visit the information Office, 351 South Hudson Avenue, Pasadena 91109, or telephone 795-6981 ext. 252.

The public is invited to visit the schools at any time. Special Mini tours may be arranged by calling the information Office.

UNITED STATES' EXHIBIT 16.

MINUTES OF THE REGULAR MEETING

PASADENA CITY BOARD OF EDUCATION

PASADENA UNIFIED SCHOOL DISTRICT

TUESDAY, OCTOBER 26, 1971

Meeting	Page No.
No. 19	17,677

The Pasadena City Board of Education, acting as the Governing Board of the Pasadena Unified School District, met in Regular Session on Tuesday, October 26, 1971, at its regular place of meeting, 351 South Hudson Avenue, Pasadena, California.

The meeting was called to order at 2:10 p.m.

The following members were present: Mrs. Albert C. Lowe, President; Mrs. LuVerne LaMotte, Vice President; Mrs. Ann T. Hight; Mr. Henry Marcheschi; Mr. Samuel C. Sheats.

The following administrative officers were present: Dr. Ralph W. Hornbeck, Superintendent of Schools; Secretary to the Board of Education; Dr. Joseph P. Zeronian, Administrative Assistant to the Superintendent; Miss Grace M. McFarland, Assistant Superintendent for Elementary Education; Mr. Ramon C. Cortines, Assistant Superintendent for Secondary Education; Mr. A. C. Zemba, Business Manager; Mr. Charles L. Palmer, Administrative Director for Personnel; Mrs. Dorothy F. Fagan, Public Information and Publication Specialist.

* * * * *

Alternatives to Pasadena Plan.

Mr. Marcheschi read Part I—The Urgent Need for Change—of his "The New Pasadena Plan", a copy of which is attached. He will present Part II at the November 9 meeting of the Board.

PASADENA UNIFIED SCHOOL DISTRICT

Office of the Superintendent of Schools

Memorandum

October 26, 1971

To Members of the Board of Education

From Ralph W. Hombeck

Subject End-of-First-School-Month Enrollment Report

1. Comparison of Enrollments for 1970-71 and 1971-72. (Total Numbers)

You will note that the final report is almost identical to the preliminary report, derived from telephone count and reported to the Board October 12. Enrollment at the end of the first school month is 27,547 (an increase of 6 from preliminary report).

This represents a decrease of 1,733 students (— 5.9%) from enrollment at the end of the first school month, 1970.

It is important that these reports be interpreted with common sense and honesty. As I mentioned October 12, it would be fallacious to assume that the loss of students has no relationship whatever to the desegregation of Pasadena's schools. We know that desegregation is contraversial, and that the negative feelings of some people have been so strong that they have moved their students from the Pasadena schools.

However, it is equally fallacious to assume that the entire loss, or even the major portion of the loss, is due to reactions to the desegregation of Pasadena's schools.

To place this in perspective, let's look at the facts:

1. The Pasadena schools have been losing enrollment steadily since 1966. The decrease has accelerated the past two years.
2. School districts in this area, throughout the state, and across the nation are facing decreasing enrollments.

The reasons are complex. A major factor is decreasing birth rates. For example, birth rates for the year that this year's kindergartners were born were down a whopping 17% from the previous year! As a result, the majority of major districts in this state had decreasing enrollments averaging, 3 to 5% (ours was 5.9%). Nine of the 11 districts I polled in the San Gabriel Valley had significant decreases.

An informal survey of 40 school districts throughout the state, on October 15, revealed that 23 or 57.5% experienced a decrease in enrollments. The greatest decrease (60%) occurred at the k-6 level. Reasons cited for decrease included declining birth rate due to "pill"; unemployment; smog and poor housing".

3. There are many reasons people are moving from this area. A study in the Star-News printed this morning enumerates eight major reasons:

   a. Company transfers

   b. Families moving closer to their jobs

   c. People moving up in housing needs (growing families)

   d. People moving down in housing needs (retirement; fewer children at home)

   e. Economic problems, such as loss of job

      "Pasadena in particular has been hurt by cutbacks in aerospace and defense-oriented industries, with Pasadena's unemployment rate now far above the national average."

   f. Smog

   g. People moving closer to members of their family

   h. Schools and busing

An example of quotations from officials of moving firms:

> "People sometimes give the reason that they want to move . . . where there is no crosstown busing, or . . . where there are fewer minority people. However, it is given more times than it is the actual reason."

Also, quoting from the article:

> "Almost without exception, the moving men say that the *economic situation, particularly cutbacks in the aerospace industry, is the real cause of the majority of the moves being made from Pasadena.*" (emphasis added)

What percentage of the decrease is the direct result of the reaction of some people to desegregation? The answer, of course, must be based on speculation. It appears clear from the facts summarized above that it does not represent the majority of the decrease.

II. Racial and Ethnic Distribution by Grade Level.

Of special significance in this report are two figures:

1. Decrease of Anglo-Caucasian enrollment, October 1970 to October 1971, from 53.7% of the total to 50.3% of the total (decrease of 1,799 students, or 3.4% of the total).*
2. One of our elementary schools, Loma Alta, is now above the 50% limit imposed by Federal court ruling (51.9% of the Loma Alta students are Black).

A. To place the former statistic in perspective, let's look at the following facts:

1. Pasadena has shown an increase in minority students and a decrease in Anglo-Caucasan students since 1961.
2. The percentage of decrease of Anglo-Caucasian students was the greatest from October 1969 to October 1970: a loss of 2212 students, or 4.6% of the total.

---

* District figures are given as percentages of the total, rather than as percentages of a sub-category, such as "Anglo-Caucasian", for the following reasons:

1. This is the method of reporting required by state and national agencies.
2. This is the method of reporting used by state and national agencies.
3. This is the method of reporting always used by our school district. This is pointed out to avoid misunderstandings by those who prefer to use percentages of a sub-category. For example, if the latter were used, the decrease in the Anglo-Caucasian group itself would be — 11.5%.

3. The number and percentage of students in the decrease from October 1970 to October 1971 was significantly *less* than the previous year (1799 students, 3.4%).
4. The number of increase of Black students from 1969 to 1970 was 391. The number of increase of Black students from 1970 to 1971 was 210.

Conclusion:

There has thus been a *slackening* in the trend (decreasing white enrollment, increasing Black enrollment). This is only the second year since 1965 that this has occurred.

B. In reference to the second statistic reported above (percentage of Black students at Loma Alta Elementary), I recommend that since:

1. This is the only school over the percentage limitation.
2. This school exceeds the limitation by only 1.9%.
3. Boundary changes that necessitate the transfer of students during the school year are not conducive to producing sound educational outcome.

we identify this fact to Judge Manual Real, along with our intent to continue present school boundaries throughout the current year.

RALPH W. HORNBECK.

UNITED STATES' EXHIBIT 17.

MINUTES OF THE SPECIAL MEETING

PASADENA CITY BOARD OF EDUCATION

PASADENA UNIFIED SCHOOL DISTRICT

TUESDAY, APRIL 11, 1972

Meeting No. 48 — Page No. 17,798

The Pasadena City Board of Education, acting as the Governing Board of the Pasadena Unified School District, met in Special Session on Tuesday, April 11, 1972, at its regular place of meeting, 351 South Hudson Avenue, Pasadena, California.

The meeting was called to order at 7:40 p.m.

The following members were present: Mr. Albert C. Lowe, President; Mrs. LuVerne LaMotte, Vice President; Mrs. Ann T. Hight; Mr. Henry Marcheschi; Mr. Samuel C. Sheats.

The following administrative officers were present: Dr. Ralph W. Hornbeck, Superintendent of Schools; Secretary to the Board of Education; Dr. Joseph P. Zeronian, Administrative Assistant to the Superintendent; Miss Grace M. McFarland, Assistant Superintendent for Elementary Education; Mr. Ramon C. Cortines, Assistant Superintendent for Secondary Education (left at 8:00 p.m., returned at 8:45 p.m.); Mr. Charles L. Palmer, Administrative Director for Personnel; Mrs. Dorothy F. Fagan, Public Information and Publication Specialist.

Invocation and Pledge of Allegiance

The invocation was offered by Mr. Henry Marcheschi, followed by the pledge of allegiance led by the President.

Resignation—Superintendent

Mr. Lowe stated that there was an item which the Board would like to discuss first, although it was not on the agenda. He turned the meeting over to Superintendent Hornbeck who read the following statement:

Dear Mr. Lowe and Members of the Board:

As I find myself heading down the "home stretch" of my fourth year as Superintendent of the Pasadena Unified School District, I would like to make a few comments.

I think it would be fair to state that this has been the most eventful four years in the history of our district. We have faced many problems. For most, there is no perfect solution. We have endeavored to analyze the situations carefully, and apply the action most likely to be the *best* answer under the circumstances.

The most controversial action certainly, was the complete desegregation and reorganization of the district. In viewing this step in retrospect, and examining all the *realities* including the decision in Federal Court and the massive problems we were encountering in educating youngsters who were segregated racially and socio-economically, I am convinced that what has become known throughout the nation as the "Pasadena Plan" is the soundest alternative of those available to us in pursuit of our goals of providing the best possible education to all students in this district, the disadvantaged as well as the advantaged. It is not a perfect solution; we have never contended that it was. I am convinced it was and is the best available to us.

Probably even more significant, however, are the new educational programs which have been started during the past four years in an effort to meet head on the "problems of urban education" which plague city school districts throughout this nation. We have begun two entirely new "alternative" schools (Intermediate Opportunity School and Evening High School), and are planning the third. The many other alternatives which have been developed and implemented, across the district or in individual schools, are too numerous to be mentioned here.

This year, we have seen the measurable reduction of both the rate of vandalism and the number of serious behavioral incidents in our schools. Further reduction is needed and, I believe, possible. For three years we have avoided serious problems involving large numbers of students (such as riots or massive walkouts) which continue to plague many other districts.

We have been fortunate in avoiding teacher strikes and walkouts. Though saddled with severe financial constraints, we passed one tax election, which helped immeasurably.

* * * * *

UNITED STATES' EXHIBIT 19.

Pasadena United School District
Office of the Superintendent of Schools

Memorandum April 13, 1972

To Members of the Board of Education

From Ralph W. Hornbeck

Subject Suspensions, Incidents, Absences

On December 28, I sent you a memorandum summarizing the numbers of suspensions in the school district through October 31, 1971. I am pleased to submit the following report for the period through February 29, 1972.

* * * * *

You will be pleased to note the continuing trend of reduced numbers of incidents and absences. These, of course, are district figures.

* * * * *

Level	Number of Suspensions (Students)		
	1970	1971	%
Senior High	1128	1014	—11%
Junior High	1189	901	—24%
Elementary	100	47	—53%
Primary	79	9	—89%
DISTRICT TOTALS	2496	1971	—21%

Comparison of Categories of Offenses

September—February 1970-71 vs. 1971-72

Resulting in Disciplinary Action

*Category	Change (%)
GROUP I	
Secondary	—17.0%
Elementary	—75.6
GROUP II	
Secondary	+11.7
Elementary	—81.8
GROUP III	
Secondary	—34.1
Elementary	—41.7
GROUP IV	
Secondary	—54.0
Elementary	0.0
GROUP V	
Secondary	[Table indicates no
Elementary	incidents either year]
GROUP VI	
Secondary	—12.6
Elementary	—64.6
DISTRICT TOTAL	

* Categories

Group I "Violations Against Persons"—****

Group II "Violations Against Property"—****

Group III "Violations Against Public Decency and Good Morals"—****

Group IV "Violations Against Public Health and Safety"—****

Group V "Violations Against Traffic Regulations"—****

Group VI "Violations Against School Administrative School Procedures"—****

UNITED STATES' EXHIBIT 21.

MEAN NUMBER AND PERCENT BLACK STUDENTS IN 91 CALIFORNIA UNIFIED SCHOOL DISTRICTS WITH DIFFERENT HISTORICAL PATTERNS TOWARD SCHOOL DESEGREGATION (1966-1971)

PAGE 382

		Mean Number						Mean Percentage					
Historical Pattern	N	1966	1967	1968	1969	1970	1971	1966	1967	1968	1969	1970	1971
Always Balanced	12	165	170	187	198	208	203	4	4	4	5	5	5
Stable/High Desegregation	32	257	281	312	335	374	413	1	1	1	1	2	2
Stable/Medium Desegregation	10	1,160	1,076	1,253	1,330	1,359	1,383	4	4	4	5	5	5
Stable/Low Desegregation	8	7,186	7,456	7,845	7,976	8,169	8,255	11	12	12	12	13	13
Large Change Toward Deseg.	15	3,056	3,166	3,333	3,463	3,471	3,546	12	13	13	14	15	16
Small Change Toward Deseg.	9	2,295	2,376	2,345	2,489	2,520	2,498	9	9	9	9	9	10
Small Change Toward Seg.	5	752	883	998	1,221	1,277	1,349	4	5	5	6	7	7

MEAN NUMBER AND PERCENT SPANISH SURNAME STUDENTS IN 91 CALIFORNIA UNIFIED SCHOOL DISTRICTS WITH DIFFERENT HISTORICAL PATTERNS TOWARD SCHOOL DESEGREGATION (1966-1971)

PAGE 383

		Mean Number						Mean Percentage					
Historical Pattern	N	1966	1967	1968	1969	1970	1971	1966	1967	1968	1969	1970	1971
Always Balanced	12	734	793	832	897	926	936	17	18	19	19	20	20
Stable/High Desegregation	32	1,619	1,726	1,844	1,988	2,091	2,157	11	12	12	13	14	14
Stable/Medium Desegregation	10	2,407	2,496	2,554	2,714	2,782	2,722	19	19	19	20	20	20
Stable/Low Desegregation	8	7,168	7,292	7,741	7,965	8,058	8,013	24	24	25	26	26	27
Large Change Toward Deseg.	15	1,958	2,065	2,123	2,243	2,288	2,217	17	18	18	19	19	19
Small Change Toward Deseg.	9	2,692	2,804	2,894	3,012	3,057	3,090	19	19	20	21	22	22
Small Change Toward Seg.	5	3,860	4,117	4,390	4,731	4,987	5,066	20	21	22	24	25	26

MEAN NUMBER AND PERCENT OTHER WHITE STUDENTS IN 91 CALIFORNIA UNIFIED SCHOOL DISTRICTS WITH DIFFERENT HISTORICAL PATTERNS TOWARD SCHOOL DESEGREGATION (1966-1971)

PAGE 384

		Mean Number						Mean Percentage					
Historical Pattern	N	1966	1967	1968	1969	1970	1971	1966	1967	1968	1969	1970	1971
Always Balanced	12	3,589	3,649	3,711	3,708	3,631	3,517	76	74	74	73	71	71
Stable/High Desegregation	32	13,388	13,595	13,681	13,613	13,346	13,002	84	84	83	82	81	79
Stable/Medium Desegregation	10	11,514	11,387	11,644	11,614	11,144	10,843	72	71	72	71	69	69
Stable/Low Desegregation	8	29,977	28,416	29,003	28,789	27,646	26,867	60	59	59	58	56	56
Large Change Toward Deseg.	15	9,229	9,047	9,031	8,940	8,029	7,393	66	64	64	63	60	59
Small Change Toward Deseg.	9	10,958	10,838	10,709	10,500	10,080	9,698	69	68	68	67	65	63
Small Change Toward Seg.	5	11,335	11,240	11,358	11,068	10,658	10,122	72	70	69	66	64	62

MEAN NUMBER AND PERCENT OTHER WHITE STUDENTS IN 91 CALIFORNIA UNIFIED SCHOOL DISTRICTS WITH DIFFERENT HISTORICAL PATTERNS TOWARD SCHOOL DESEGREGATION (1966-1971)

PAGE 385

		Mean Number						Mean Percentage					
Historical Pattern	N	1966	1967	1968	1969	1970	1971	1966	1967	1968	1969	1970	1971
Always Balanced	12	3,589	3,649	3,711	3,708	3,631	3,517	76	74	74	73	71	71
Stable/High Desegregation	32	13,388	13,595	13,681	13,613	13,346	13,002	84	84	83	82	81	79
Stable/Medium Desegregation	10	11,514	11,387	11,644	11,614	11,144	10,843	72	71	72	71	69	69
Stable/Low Desegregation	8	29,977	28,416	29,003	28,789	27,646	26,867	60	59	59	58	56	56
Large Change Toward Deseg.	15	9,229	9,047	9,081	8,940	8,029	7,393	66	64	64	63	60	59
Small Change Toward Deseg.	9	10,958	10,838	10,709	10,500	10,080	9,698	69	68	68	67	65	63
Small Change Toward Seg.	5	11,335	11,240	11,358	11,068	10,658	10,122	72	70	69	66	64	62

TWO WAY ANALYSIS OF VARIANCE ON MEAN PERCENT OTHER WHITE STUDENTS IN 91 CALIFORNIA SCHOOL DISTRICTS WITH DIFFERENT HISTORICAL PATTERNS TOWARD SCHOOL DESEGREGATION (1966-1971)

PAGE 386

Historical Pattern	N	1966	1967	1968	1969	1970	1971	F ratio	Significance
Always Balanced	12	76	74	74	73	71	71	25.47	.001
Stable/High Desegregation	32	84	84	83	82	81	79	44.56	.001
Stable/Medium Desegregation	10	72	71	72	71	69	69	7.34	.001
Stable/Low Desegregation	8	60	59	59	58	56	56	6.16	.001
Large Change Toward Desegregation	15	66	64	64	63	60	59	10.34	.001
Small Change Toward Desegregation	9	69	68	68	67	65	63	19.96	.001
Small Change Toward Segregation	5	72	70	69	66	64	62	19.56	.001
F ratio		5.49	5.89	5.74	5.82	5.87	5.61		
Significance		.001	.001	.001	.001	.001	.001		

The interaction term for this analysis is 1.37 which is not significant.

UNITED STATES' EXHIBIT 23

Table

Comparison of Average Scores of Anglo American Children in Pasadena Elementary Schools in 1973
h Average Scores of Students in Districts with More Than 50% Minority Students and Less Than 50% Minority Students

udent Performance	Over 50% Minority avg.	N	SD	Pasadena avg.	N	SD	Under 50% Minority avg.	N	SD	F Ratio	Sig.
Achievement 3	35.16	469	8.73	38.00	667	8.80	35.41	345	8.06	18.56	.001
Achievement 6	60.83	963	15.99	62.96	633	16.42	61.72	2042	16.93	3.15	NS
Word Know 6	29.43	867	11.08	34.18	731	9.69	28.33	1175	10.20	75.55	.001
Self Esteem	11.66	2064	2.57	11.94	1429	2.43	11.84	4685	2.50	6.25	.01
Reflected Self	11.79	2064	2.95	11.89	1429	2.82	11.94	4685	2.78	2.01	NS
Status Anxiety	7.42	2064	3.39	6.98	1429	3.35	6.74	4685	3.33	29.59	.001
School Anxiety	5.94	2063	3.25	5.36	1429	3.16	5.65	4685	3.25	13.84	.001
Attitude to School	5.09	2062	1.58	5.14	1426	1.54	5.36	4684	1.54	26.35	.001
Choosing Anglos	75.07	2009	41.93	77.02	1427	34.54	76.05	4661	32.63	1.28	NS
Choosing Blacks	70.00	1908	48.08	63.29	1425	37.03	74.73	3167	55.58	26.26	.001
Choosing Mexican	74.71	1166	43.73	71.45	1156	57.62	73.65	2979	53.35	1.20	NS
Choosing Asians	86.31	1509	57.25	95.47	641	74.98	86.20	697	76.26	4.74	.01

BEST COPY AVAILABLE

Table

Comparison of Average Scores of Mexican-American Children in Pasadena Elementary Schools in 1973
Average Scores of Students in Districts with More Than 50% Minority Students and Less Than 50% Minority Students

dent Performance	Over 50% Minority avg.	-	SD	Pasadena avg.	-	SD	Under 50% Minority avg.	-	SD	F Ratio	Sig.
Achievement 3	29.73	195	8.31	30.50	109	8.57	31.40	59	8.03	0.99	NS
Achievement 6	44.23	535	16.25	44.96	140	17.08	49.69	303	15.85	11.27	.001
Word Know 6	19.58	298	9.72	23.37	169	9.38				16.81	.001
Self Esteem	11.44	1375	2.47	11.72	328	2.32	11.93	984	2.42	11.76	.001
Reflected Self	11.92	1375	2.92	11.97	328	2.75	12.06	984	2.99	0.66	NS
Status Anxiety	7.92	1375	3.45	7.37	328	3.22	6.74	984	3.20	35.99	.001
School Anxiety	6.97	1375	3.18	6.10	328	3.26	5.95	984	3.08	32.86	.001
Attitude to School	5.14	1374	1.57	5.17	328	1.54	5.48	984	1.52	14.58	.001
Choosing Anglos	71.01	1348	44.23	75.50	325	37.81	76.65	957	41.75	5.27	.01
Choosing Blacks	77.22	1241	55.30	68.93	327	37.21	77.71	485	70.11	3.04	NS
Choosing Mexican	81.75	1337	44.19	84.25	304	50.99	81.50	948	47.20	0.44	NS
Choosing Asians	82.82	764	64.65	98.40	156	72.71	90.11	219	76.40	3.79	NS

Table

Comparison of Average Scores of Black Children in Pasadena Elementary Schools in 1973 ith Average Scores of Students in Districts with More Than 50% Minority Students and Less Than 50% Minority Students

Student Performance	Over 50% Minority avg.	-	SD	Pasadena avg.	-	SD	Under 50% Minority avg.	-	SD	F Ratio	Sig.
Achievement 3	26.92	566	8.17	29.59	618	10.95	28.44	58	8.11	12.58	.001
Achievement 6	42.03	893	16.50	42.66	597	17.60	49.54	142	17.58	12.05	.001
Word Know 6	19.34	962	8.93	21.53	696	9.28	19.28	165	9.49	12.52	.001
Self Esteem	11.58	1725	2.41	11.36	1359	2.37	11.61	615	2.45	3.90	NS
Reflected Self	12.10	1724	2.85	11.91	1359	2.84	11.92	615	3.03	1.94	NS
Status Anxiety	8.47	1724	3.67	7.70	1359	3.40	7.30	615	3.58	31.77	.001
School Anxiety	6.71	1724	3.25	5.95	1359	3.13	6.10	615	3.25	23.23	.001
Attitude to School	5.17	1723	1.65	5.08	1359	1.62	5.28	614	1.63	3.29	NS
Choosing Anglos	73.09	1645	45.38	74.86	1351	40.32	81.86	600	38.87	9.44	.001
Choosing Blacks	90.35	1640	47.03	84.82	1356	37.95	102.92	546	56.55	30.85	.001
Choosing Mexican	81.86	1171	55.27	80.46	1114	60.89	81.00	175	58.99	0.17	NS
Choosing Asians	85.73	1297	57.56	90.64	563	71.54	-	-	-	2.46	NS

BEST COPY AVAILABLE

DESCRIPTION OF POPULATION:

1. Sample of Districts over 50% Minority:

a. San Francisco	69.0% minority
b. Oxnard	60.1% minority
** Weighted Average:	66.5% minority

	Anglo	Black	Mex-Am	Other	TOTAL
N	2062	1723	1374	1001	6160
%	33.5	28.0	22.3	16.2	100.

2. Pasadena Unified School District

a. Pasadena	54.4% minority
** Weighted Average:	54.4% minority

	Anglo	Black	Mex-Am	Other	TOTAL
N	1426	1359	328	11	3124
%	45.6	43.5	10.5	0.4	100.

3. Sample of Districts under 50% Minority:

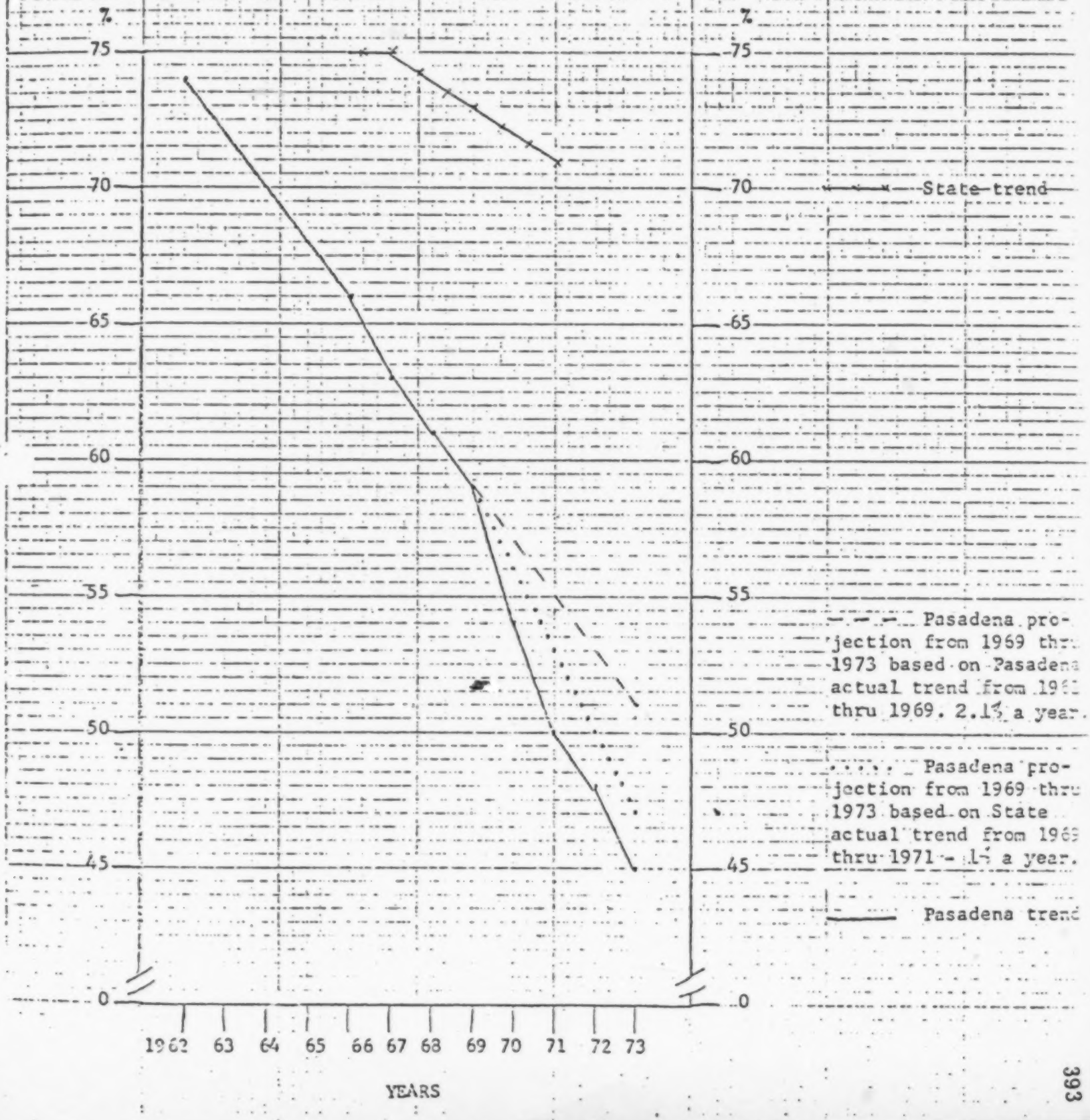
a. Fullerton	14.2% minority
b. Tacoma	20.4% minority
c. Ventura	22.5% minority
d. Monrovia	28.7% minority
e. Santa Barbara	42.6% minority
** Weighted Average:	25.8% minority

	Anglo	Black	Mex-Am	Other	TOTAL
N	4684	614	984	27	6309
%	74.2	9.7	15.6	0.4	100.

Figure 9

Percent "Other White" in Public School Population of Pasadena Unified School District 1962 through 1973 Compared with California Public School Population Estimates After 1969

Percentages are based on data secured from the California State Department of Education Ethnic Surveys



BEST COPY AVAILABLE

Number of Statistically Significant Changes Between 1972 and 1973 on Student Measures for the Pasadena Unified School District Reported by Total District and for 25 Elementary Schools by Ethnic Group

	Black						Anglo-American						Mexican-American					
	District			Schools			District			Schools			District			Schools		
	+	-	NC	+	-	NC	+	-	NC	+	-	NC	+	-	NC	+	-	NC
Self Esteem			1	0	0	24			1	1	0	24			1	0	0	11
Reflected Self			1	0	0	24			1	0	1	24			1	0	0	11
Status Anxiety[b]	1			1	0	23			1	1	1	23			1	0	0	11
School Anxiety[b]	1			2	0	22			1	1	0	24			1	0	0	11
Attitude to School			1	1	2	21			1	0	0	25			1	0	1	10
Choosing Black			1	0	1	23			1	1	2	22	1			0	0	11
Choosing Anglo			1	0	2	22	1			3	4	18			1	0	0	11
Choosing Mex.- Am.			1	1	0	23	1			0	2	21			1	0	0	11
Choosing Asian-Am.			1	0	0	15			1	0	0	18			1	0	0	5
Reading Achievement Grade 3			1	0	0	13			1	0	0	13	1			0	0	5
Reading Achievement Grade 6			1	0	0	11			1	0	0	11			1	0	0	6
Total				5	5	231				7	10	223				0	1	92

[a]Change + = Positive Change Beyond .01 level of significance.
- = Negative Change Beyond .01 level of significance.
NC = No Change that could not occur more than 1 time in 100 by chance.

[b]Low scores are positive i.e. low anxiety is preferable.

UNITED STATES' EXHIBIT 26.

PARTICIPATION IN CONTROLLED OPEN ENROLLMENT PROGRAM SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT[a]

1969-1972

School Year	Total Minority Students in District (Black + Sp. Sur.)	Number of Minority Students Participating	Percent Participating
1966-67	12,451	219	1.8
1967-68	12,436	400	3.2
1968-69	12,801	1,490	11.6
1969-70	13,070	2,026	15.5
1970-71	13,104	1,772	13.5
1971-72	13,073	1,554	11.9
1972-73	14,603	1,416	9.7

[a] The information for calculating the total number of minority students in the school district was secured for the Bureau of Intergroup Relations, State Department of Education, California. Information on the Number of minority students participating in the Controlled Open Enrollment Program was secured from Dr. Lewis A. Bonney, Assistant Superintendent for Research and Development, San Bernardino Unified School District. Three factors influenced the number of students participating in the program during various years. (1) High School boundaries were modified to achieve desegregation in 1970-71 resulting in high school students no longer being eligible for the program. (2, Pupils at two predominantly minority elementary schools (Allesandro and Mt. Vernon) were housed in integrated settings during 1971-72 and 1972-73 while their schools were being reconstructed. This resulted in no new enrollments from these two schools during those years. (3) Elementary enrollment declined by 14% between 1970-71 and 1972-73 school years. No Anglo-Americans (Other White) participated in the program at any time.

UNITED STATES' EXHIBIT 27.

Participation in a Voluntary Open Enrollment Program—Richmond Unified School District[a]

1967-1973

School Year	Total Minority Students in District (Black + Sp. Sur.)	Number of Minority Students Participating	Percent Participating
1969-70	13,380	1,005	7.5
1970-71	13,687	1,235	8.9
1971-72	13,786	1,554	11.3

[a] The information for calculating the total number of minority students in the school district was secured from the Bureau of Intergroup Relations, California State Department of Education, Information on the number of minority students participating in the open enrollment program was secured from Richmond Unified School District. Anglo-American (Other White) students did not volunteer to participate in the program.

DEFENDANTS' EXHIBIT E.

RACIAL AND ETHNIC DISTRIBUTION OF STUDENT ENROLLMENT AND CERTIFICATED EMPLOYEES IN THE PASADENA UNIFIED SCHOOL DISTRICT.

October 6, 1972

Research Report No. 72/73-01

Pasadena Unified School District
Department of Planning, Research and Development
December 1972

TABLE OF CONTENTS.

	PAGE
Foreword	ii
Summary of Racial and Ethnic Distribution of Enrollment:	
All Primary and Elementary Schools, K-6	1
All Junior and Senior High Schools, 7-12	1
Roosevelt School for Handicapped	1
Five Acres	2
Hillside Episcopal Home	2
Lincoln—EH Class, K-3	2
Education Center	2
District Total	2
Primary Schools, K-3	3
Primary Total	5
Elementary Schools, 4-6	6
Elementary Total	7
Junior High School, 7 and 8	8
Junior High Total	8
Senior High Schools, 9-12	9
Senior High Total	9
District Summary of Racial and Ethnic Distribution of Certificated Employees:	
All Primary and Elementary Schools, K-6	10
All Junior and Senior High Schools, 7-12	10
Roosevelt School for Handicapped	11
Others	11
Education Center	11
District Total	12
Footnotes for District Summary	13

FOREWORD.

This report presents a survey of the racial and ethnic distribution of students and certificated employees on a school-by-school basis as of October 6, 1972. The basic data collected for the individual reports were supplied by the Department of Personnel Services, Data Processing Services, Operations and Transportation Services, Division of Elementary Education, and the individual schools. A report for 1972-73 was completed for each school and submitted to the Department of Health, Education and Welfare.[1]

In addition to the 1970-71, 1971-72 and 1972-73 Racial and Ethnic Distribution of Enrollment, the full-time Professional Instructional Staff for 1972-73 is included. The definition for Full-Time Professional Instructional Staff given by the U. S. Department of Health, Education and Welfare, Office for Civil Rights, is the following:

> "Professional Instructional Staff" includes: Classroom teachers; principals; assistant principals; and those staff members who are supervisors of instruction, curriculum consultants, school librarians, non-classroom teachers (homebound, etc.), audio-visual staff, T. V. teachers, guidance counselors, and school psychologists.
>
> "Professional Instructional Staff: does NOT include: Chief administrative officer of the school system (superintendent); para-professional staff members (teacher's aides, student teachers, etc.); non-instructional staff members, such as attendance, business, financial, professional health personnel (doctors and nurses), school social workers, transportation, clerical, custodial, and food service personnel.

1. Fall, 1972, Elementary and Secondary School Civil Rights Survey Forms OS/CR 101—School System Summary Report and OS/CR 102—Individual School Campus Report.

The categories listed in this report include the following personnel:

Teachers—Classroom teachers, Miller-Unruh teachers, special education teachers assigned to a school, Opportunity, Resource, ESEA, reading teacher-specialists, special teachers, music teachers, project teachers, Junior High Student Advisors, etc.

Administrators—Principals and Assistant Principals.

Other Professional Instructional Staff—Counselors, Librarians, Deans, and Project Assistants.

Professional Staff at Education Center—Full-time professional instructional staff members (see definition preceding page) who are full-time in this school system, but who are *not* full-time staff members at one particular school campus. In addition, included in this category are teachers from the Special Education Department.

Since the enrollment figures in Research Reports 257a, 267a, 274a, 282a, 292, and 71/72-02 for 1966, 1967, 1968, 1969, 1970, and 1971 were reported in the six categories used then and still specified by the State Department of Education, enrollments are reported for the same six categories in this publication, Research Report 72/73-01. Also included in the Summary of this report are comparisons of student enrollments in Grades K-6, 7-12, and the District for the years 1966, 1967, 1968, 1969, 1970, 1971 and 1972.

For comparative purposes, a District Summary of Racial and Ethnic Distribution of Certificated Employees is given for the years 1966, 1967, 1968, 1969, 1970, 1971, and 1972. The summary includes Grades K-6, 7-12, and the District by Teachers, Administrators, and Other Professional Staff.

400

BEST COPY AVAILABLE

CIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 6, 1972

	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
L PRIMARY & EMENTARY CHOOLS K-6[a]													
upils - 1966	1243	7.1	10,831	62.0	4794	27.5	427	2.5	7	---	164	0.9	17.466
1967	1257	7.4	10,162	59.7	5069	29.8	416	2.4	13	0.1	103	0.6	17,020
1968	1400	8.4	9469	56.6	5274	31.6	419	2.5	18	0.1	139	0.8	16,719
1969	1497	9.2	8867	54.4	5393	33.1	376	2.3	25	0.2	136	0.8	16.294
1970	1565	10.3	7549	49.6	5521	36.3	389	2.6	28	0.2	156	1.0	15.208
1971	1658	11.8	6524	46.3	5397	38.3	366	2.6	29	0.2	108	0.8	14.082
1972	1653	12.4	5800	43.6	5355	40.3	330	2.5	29	0.2	137	1.0	13,304
1972													
Teachers	17	3.0	415	72.3	112	19.5	19	3.3	3	0.5	8	1.4	574
Administrators	1	3.1	27	84.4	4	12.5	0	---	0	---	0	---	32
Other Prof.[b]	0	---	1	33.3	2	66.7	0	---	0	---	0	---	3
LL JR. & SR. IGH SCHOOLS 7-12[a]													
Pupils - 1966	797	5.6	10,034	69.9	2833	19.7	535	3.7	5	---	149	1.1	14,373
1967	890	6.2	9788	67.9	3133	21.7	533	3.7	7	0.1	63	0.4	14.414
1968	994	6.9	9431	65.5	3377	23.5	510	3.5	10	0.1	78	0.5	14.400
1969	1011	7.1	8894	62.8	3733	26.4	444	3.1	7	0.1	77	0.5	14.166
1970	1080	7.9	8003	58.2	3997	29.1	454	3.3	45	0.3	167	1.2	13.746
1971	1159	8.7	7220	54.4	4314	32.5	431	3.3	18	0.1	128	1.0	13,270
1972	1197	9.4	6366	50.1	4606	36.3	396	3.1	28	0.2	115	0.9	12.708
1972													
Teachers	28	4.9	459	79.5	71	12.3	16	2.8	0	---	3	0.5	577
Administrators	2	8.3	19	79.2	3	12.5	0	---	0	---	0	---	24
Other Prof.[b]	2	3.5	44	77.2	11	19.3	0	---	0	---	0	---	57
ROOSEVELT SCHOOL FOR HANDICAPPED[c]													
Pupils - 1966	8	5.1	93	58.9	50	31.6	4	2.5	0	---	3	1.9	158
1967	11	7.0	89	56.7	51	32.5	5	3.2	0	---	1	0.6	157
1968	11	7.1	89	57.0	50	32.0	6	3.9	0	---	0	---	156
1969	13	8.0	98	60.5	47	29.0	4	2.5	0	---	0	---	162
1970	21	12.4	95	56.2	46	27.2	6	3.6	0	---	1	0.6	169
1971	21	11.5	99	54.1	58	31.7	4	2.2	0	---	1	0.5	183
1972	23	12.5	92	50.0	64	34.8	4	2.2	0	---	1	0.5	184
1972													
Teachers	1	5.0	15	75.0	3	15.0	1	5.0	0	---	0	---	20
Administrators	0	---	1	100.0	0	---	0	---	0	---	0	---	1
Other Prof.[b]	0	---	1	100.0	0	---	0	---	0	---	0	---	1

[a]Roosevelt School, Home Teaching, Five Acres, Hillside Episcopal Home, and EH Class - K-3 at Lincoln Elem. not included.
[b]Abbreviation for Professional Staff.
[c]Includes Home Teaching students.

NOTE: Includes employees who are employed 75% time or more.

401

SUMMARY (continued)	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
FIVE ACRES[a]													
Pupils - 1971	2	16.6	5	41.7	5	41.7	0	---	0	---	0	---	12
1972	1	11.1	7	77.8	1	11.1	0	---	0	---	0	---	9
Teachers	0	---	0	---	1	100.0	0	---	0	---	0	---	1
HILLSIDE EPISCOPAL HOME													
Pupils - 1972	2	20.0	4	40.0	4	40.0	0	---	0	---	0	---	10
Teachers	0	---	1	100.0	0	---	0	---	0	---	0	---	1
LINCOLN - E.H. CLASS. K-3													
Pupils - 1972	2	20.0	2	20.0	6	60.0	0	---	0	---	0	---	10
Teachers	0	---	1	100.0	0	---	0	---	0	---	0	---	1
ED. CENTER													
Pupils													
P. S.- 1967[b]	10	5.3	10	5.3	167	88.4	2	1.0	0	---	0	---	189
1968[b]	17	8.1	19	9.1	171	81.8	0	---	0	---	2	1.0	209
1971[c]	39	17.5	22	9.9	157	70.7	2	0.9	1	0.5	1	0.5	222
Professional Staff at Ed. Center, 1972[d]	0	---	35	81.4	8	18.6	0	---	0	---	0	---	43
DISTRICT TOTAL													
Pupils - 1966	2048	6.4	20,958	65.6	7677	24.0	966	3.0	12	---	316	1.0	31,977
1967[b]	2168	6.8	20,049	63.1	8420	26.5	956	3.0	20	0.1	167	0.5	31,780
1968[b]	2422	7.7	19,008	60.4	8872	28.2	935	2.9	28	0.1	219	0.7	31,484
1969	2521	8.2	17,859	58.3	9173	30.0	824	2.7	32	0.1	213	0.7	30,622
1970	2666	9.2	15,647	53.7	9364	32.8	849	2.9	73	0.3	324	1.1	29,123
1971[c]	2840	10.3	13,848	50.3	9774	35.5	801	2.9	47	0.2	237	0.8	27,547
1972	2878	11.0	12,271	46.8	10,036	38.3	730	2.8	57	0.2	253	0.9	26,225
Teachers, Classroom 1972	46	3.9	891	75.9	187	15.9	36	3.1	3	0.3	11	0.9	1,174
Admins. at Schools- 1972	3	5.3	47	82.4	7	12.3	0	---	0	---	0	---	57
Other Prof. Staff at Schools- 1972	2	3.3	46	75.4	13	21.8	0	---	0	---	0	---	61
Prof. Staff at Ed.Cntr.-1972[d]	0	---	35	81.4	8	18.6	0	---	0	---	0	---	43

[a] Students were included at Audubon Primary School for previous years.
[b] P. S. - Preschool reported for 1967 and 1968 and included in the district total.
[c] Preschool reported to the State Department as instructed but not included in district total for this report.
[d] Professional Staff at Education Center includes certificated personnel who work directly with students but are not assigned to any one school: psychologists, Special Education teachers, consultants, teacher specialists, etc. For 1972, the reading teacher specialists and the music teachers were assigned to a school.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 6, 1972

PRIMARY K-3	Spanish Surname		Anglo-Caucasian[1]		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
ALLENDALE													
Pupils - 1970	38	9.0	179	42.1	181	42.6	26	6.1	1	0.2	0	---	425
1971	32	8.4	157	41.1	161	42.1	29	7.6	0	---	3	0.8	382
1972	101	23.5	166	38.6	134	31.2	23	5.3	0	---	6	1.4	430
Teachers	1		13		5		1		0		0		20
Administrators	1		0		0		0		0		0		1
AUDUBON													
Pupils - 1970	27	4.7	293	51.2	227	39.7	20	3.5	1	0.2	4	0.7	572
1971	42	7.7	261	48.0	219	40.2	19	3.5	2	0.4	1	0.2	544
1972	37	6.7	237	42.7	256	46.1	15	2.7	2	0.4	8	1.4	555
Teachers	0		18		3		1		0		0		22
Administrators	0		1		0		0		0		0		1
BURBANK													
Pupils - 1970	26	4.6	328	57.8	204	36.0	9	1.6	0	---	0	---	567
1971	35	6.8	244	47.5	227	44.1	6	1.2	1	0.2	1	0.2	514
1972	37	8.9	202	48.7	168	40.5	4	0.9	2	0.5	2	0.5	415
Teachers	0		13		2		3		0		0		18
Administrators	0		1		0		0		0		0		1
DON BENITO													
Pupils - 1970	43	6.1	337	48.1	310	44.2	9	1.3	0	---	2	0.3	701
1971	34	5.3	308	47.8	291	45.2	8	1.2	0	---	3	0.5	644
1972	46	7.6	260	42.6	288	47.2	7	1.1	3	0.5	6	1.0	610
Teachers	3		22		4		1		0		0		30
Administrators	0		2		0		0		0		0		2
FRANKLIN													
Pupils - 1970	48	8.2	242	41.4	265	45.4	24	4.1	1	0.2	4	0.7	584
1971	58	10.6	201	36.8	270	49.5	16	2.9	0	---	1	0.2	546
1972	47	9.0	172	32.7	283	53.9	19	3.6	2	0.4	2	0.4	525
Teachers	1		16		7		0		0		0		24
Administrators	0		0		1		0		0		0		1
GARFIELD-ARROYO													
Pupils - 1970	80	30.5	122	46.6	56	21.4	3	1.1	0	---	1	0.4	262
1971	102	36.2	128	45.4	40	14.2	3	1.0	2	0.7	7	2.5	282
1972	- S C H O O L C L O S E D -												
HAMILTON													
Pupils - 1970	102	18.5	269	48.9	161	29.3	6	1.1	3	0.6	9	1.6	550
1971	89	15.1	251	42.5	223	37.7	12	2.0	4	0.7	12	2.0	591
1972	85	14.8	218	38.0	242	42.2	17	3.0	1	0.1	11	1.9	574
Teachers	2		19		4		1		1		0		27
Administrators	0		1		0		0		0		0		1

[1] The State reports use Other White to describe this category.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 6, 1972

PRIMARY K-3 (continued)	Spanish Surname		Anglo-Caucasian[1]		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
JEFFERSON													
Pupils - 1970	238	25.3	403	42.9	249	26.5	28	3.0	7	0.7	15	1.6	940
1971	279	30.6	362	39.7	211	23.2	27	3.0	8	0.9	24	2.6	911
1972	316	33.0	345	36.0	235	24.5	24	2.5	6	0.6	32	3.4	958
Teachers	4		32		7		0		0		0		43
Administrators	0		2		0		0		0		0		2
LINDA VISTA													
Pupils - 1970	2	1.1	102	58.3	57	32.6	13	7.4	0	---	1	0.6	175
1971	5	3.5	94	66.7	30	21.3	12	8.5	0	---	0	---	141
1972	51	16.7	143	46.9	92	30.2	19	6.2	0	---	0	---	305
Teachers	0		10		3		0		0		0		13
Administrators	0		1		0		0		0		0		1
McKINLEY													
Pupils - 1970	50	21.6	119	51.5	48	20.8	11	4.8	1	0.4	2	0.9	231
1971	56	23.4	98	41.0	71	29.7	12	5.0	0	---	2	0.9	239
1972			- S C H O O L		C L O S E D -								
NOYES													
Pupils - 1970	24	5.1	245	51.6	187	39.4	14	2.9	0	---	5	1.0	475
1971	18	4.4	201	49.2	175	42.8	14	3.4	0	---	1	0.2	409
1972	18	4.8	168	44.3	177	46.7	11	2.9	0	---	5	1.3	379
Teachers	0		9		5		1		0		0		15
Administrators	0		1		0		0		0		0		1
SAN RAFAEL													
Pupils - 1970	14	4.4	169	53.7	119	37.8	8	2.5	0	---	5	1.6	315
1971	15	4.7	157	49.7	134	42.4	10	3.2	0	---	0	---	316
1972	18	4.5	207	51.2	169	41.8	10	2.5	0	---	0	---	404
Teachers	1		18		0		2		0		0		21
Administrators	0		0		1		0		0		0		1
SIERRA MADRE													
Pupils - 1970	46	8.0	305	53.0	200	34.8	12	2.1	0	---	12	2.1	575
1971	43	9.1	243	51.6	170	36.1	12	2.6	0	---	3	0.6	471
1972	42	9.1	253	54.5	157	33.8	8	1.7	0	---	4	0.9	464
Teachers	0		16		4		2		0		1		23
Administrators	0		1		0		0		0		0		1
SIERRA MESA													
Pupils - 1970	17	3.6	242	50.7	206	43.2	11	2.3	0	---	1	0.2	477
1971	20	4.5	222	50.4	192	43.5	6	1.4	0	---	1	0.2	441
1972	16	4.3	158	42.8	192	52.0	2	0.6	1	0.3	0	---	369
Teachers	0		13		2		1		0		0		16
Administrators	0		1		0		0		0		0		1

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 6, 1972

PRIMARY K-3 (continued)	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
WEBSTER													
Pupils - 1970	55	6.5	452	53.8	277	32.9	15	1.8	1	0.1	41	4.9	841
1971	55	7.6	415	57.1	236	32.5	17	2.3	0	---	4	0.5	727
1972	57	8.5	351	52.4	247	36.9	12	1.8	1	0.1	2	0.3	670
Teachers	0		22		4		1		0		2		29
Administrators	0		2		0		0		0		0		2
WILLARD													
Pupils - 1970	121	12.9	440	46.8	358	38.0	14	1.5	0	---	8	0.8	941
1971	136	16.3	386	46.2	299	35.8	12	1.4	2	0.2	1	0.1	836
1972	122	15.9	341	44.5	288	37.6	10	1.3	1	0.2	4	0.5	766
Teachers	1		24		7		0		0		0		32
Administrators	0		2		0		0		0		0		2
ALTERNATIVE PLANNING SCH.													
Pupils - 1972	4	14.3	18	64.3	5	17.8	1	3.6	0	---	0	---	28
Teachers	0		2		0		0		0		0		2
Administrators	0		1		0		0		0		0		1
PRIMARY TOTAL[a]													
Pupils - 1970	931	10.8	4247	49.2	3105	36.0	223	2.6	15	0.1	110	1.3	8,631
1971	1019	12.8	3728	46.6	2949	36.9	215	2.7	19	0.2	64	0.8	7,994
1972	997	13.4	3239	43.5	2933	39.4	182	2.4	19	0.2	82	1.1	7,452
Teachers	13		247		57		14		1		3		335
Administrators	1		16		2		0		0		0		19

[a]Roosevelt School, Home Teaching, Five Acres, Hillside Episcopal Home and E. H. Class - K-3 at Lincoln Elementary are not included.

BEST COPY AVAILABLE

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 6, 1972

ELEMENTARY 4-6	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
PASADENA													
Pupils - 1970	57	8.3	342	50.0	265	38.7	14	2.1	2	0.3	4	0.6	684
1971	61	9.8	288	46.0	260	41.5	12	1.9	3	0.5	2	0.3	626
1972	50	8.1	278	45.1	266	43.2	16	2.6	1	0.2	5	0.8	616
Teachers	0		15		7		1		0		0		23
Administrators	0		2		0		0		0		0		2
CLEVELAND													
Pupils - 1970	14	3.4	214	52.3	169	41.3	11	2.7	0	---	1	0.3	409
1971	12	3.4	173	48.6	159	44.7	10	2.8	0	---	2	0.5	356
1972	12	3.9	142	46.1	143	46.4	9	2.9	0	---	2	0.7	308
Teachers	0		8		3		1		0		1		13
Administrators	0		0		1		0		0		0		1
EDISON													
Pupils - 1970	20	4.5	230	51.6	175	39.2	19	4.3	0	---	2	0.4	446
1971	21	5.1	195	46.9	177	42.5	18	4.3	0	---	5	1.2	416
1972	24	4.9	202	41.3	245	50.1	11	2.3	0	---	7	1.4	489
Teachers	0		13		4		0		0		1		18
Administrators	0		1		0		0		0		0		1
FIELD													
Pupils - 1970	31	5.5	318	56.4	201	35.6	13	2.3	0	---	1	0.2	564
1971	45	8.3	300	55.1	186	34.2	12	2.2	0	---	1	0.2	544
1972	46	8.1	288	51.0	219	38.8	12	2.1	0	---	0	---	565
Teachers	0		15		3		0		2		1		21
Administrators	0		1		0		0		0		0		1
HALE													
Pupils - 1970	51	9.6	310	58.3	152	28.6	13	2.3	3	0.6	3	0.6	532
1971	68	12.9	233	44.3	203	38.6	13	2.5	2	0.4	7	1.3	526
1972	61	11.5	245	46.3	201	37.9	16	3.0	0	---	7	1.3	530
Teachers	1		16		6		0		0		0		23
Administrators	0		1		0		0		0		0		1
JACKSON													
Pupils - 1970	106	15.6	308	45.3	219	32.2	35	5.2	3	0.4	9	1.3	680
1971	95	16.4	243	42.0	199	34.4	35	6.0	1	0.2	6	1.0	579
1972	95	18.9	212	42.1	163	32.4	25	5.0	2	0.4	6	1.2	503
Teachers	2		16		5		0		0		0		23
Administrators	0		1		0		0		0		0		1
Other Prof.	0		0		1		0		0		0		1

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 6, 1972

ELEMENTARY 4-6 (continued)	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
LINCOLN													
Pupils - 1970	77	14.8	214	41.0	222	42.5	7	1.3	0	---	2	0.4	522
1971	59	14.7	157	39.0	177	43.9	5	1.2	0	---	5	1.2	403
1972	71	19.8	128	35.6	150	41.8	4	1.1	1	0.3	5	1.4	359
Teachers	1		13		3		1		0		0		18
Administrators	0		1		0		0		0		0		1
Other Prof.	0		0		1		0		0		0		1
LOMA ALTA													
Pupils - 1970	27	4.3	318	50.7	268	42.8	12	1.9	0	--	2	0.3	627
1971	31	5.1	252	41.1	318	51.9	10	1.6	0	---	2	0.3	613
1972	24	4.9	194	39.7	261	53.4	8	1.6	0	---	2	0.4	489
Teachers	0		14		4		0		0		1		19
Administrators	0		1		0		0		0		0		1
LONGFELLOW													
Pupils - 1970	91	11.8	411	52.0	255	32.3	25	3.2	3	0.4	5	0.6	790
1971	84	11.6	357	49.4	262	36.2	16	2.2	2	0.3	2	0.3	723
1972	84	11.6	337	46.6	270	37.3	26	3.6	4	0.6	2	0.3	723
Teachers	0		23		5		1		0		0		29
Administrators	0		1		1		0		0		0		2
MADISON													
Pupils - 1970	149	22.1	298	44.3	199	29.6	9	1.3	2	0.3	16	2.4	673
1971	147	22.7	266	41.2	209	32.3	12	1.9	0	---	12	1.9	646
1972	160	24.2	239	36.2	231	34.9	11	1.7	1	0.1	19	2.9	661
Teachers	0	—	17		7		1		0		1		26
Administrators	0		1		0		0		0		0		1
WASHINGTON													
Pupils - 1970	11	1.7	339	52.2	291	44.8	8	1.2	0	---	1	0.1	650
1971	16	2.5	332	50.6	298	45.4	8	1.2	2	0.3	0	---	656
1972	27	4.6	289	49.2	261	44.5	9	1.5	1	0.2	0	---	587
Teachers	0		18		8		0		0		0		26
Administrators	0		1		0		0		0		0		1
Other Prof.	0		1		0		0		0		0		1
ALTERNATIVE PLANNING SCH.													
Pupils - 1972	2	9.1	7	31.8	12	54.6	1	4.5	0	---	0	---	22
Teachers[b]													
ELEMENTARY[a] TOTAL													
Pupils - 1970	634	9.7	3302	50.2	2416	36.7	166	2.5	13	0.2	46	0.7	6,577
1971	639	10.5	2796	45.9	2448	40.2	151	2.5	10	0.2	44	0.7	6,088
1972	656	11.2	2561	43.8	2422	41.4	148	2.5	10	0.2	55	0.9	5,852
Teachers	4		168		55		5		2		5		239
Administrators	0		11		2		0		0		0		13
Other Prof.	0		1		2		0		0		0		3

[a] Roosevelt School, Home Teaching, Hillside Episcopal Home and Five Acres not included.
[b] The total number of teachers and administrator for the Alternative Planning School is given on page 5.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 6, 1972

JUNIOR HIGH Grades 7 & 8	Spanish Surname No.	Spanish Surname Per Cent	Anglo-Caucasian No.	Anglo-Caucasian Per Cent	Negro No.	Negro Per Cent	Chinese, Japanese, Korean No.	Chinese, Japanese, Korean Per Cent	American Indian No.	American Indian Per Cent	Other Nonwhite No.	Other Nonwhite Per Cent	TOTAL No.
ELIOT													
Pupils - 1970	76	6.0	688	54.9	449	35.8	20	1.6	6	0.5	15	1.2	1,254
1971	67	5.9	569	50.2	466	41.1	25	2.2	2	0.2	5	0.4	1,134
1972	78	7.0	505	45.1	508	45.4	24	2.1	3	0.3	1	0.1	1,119
Teachers	2		38		8		2		0		1		51
Administrators	1		1		0		0		0		0		2
Other Prof.	0		4		0		0		0		0		4
McKINLEY													
Pupils - 1970	136	11.3	643	53.4	344	28.6	59	4.9	6	0.5	16	1.3	1,204
1971	129	11.5	561	49.8	365	32.4	45	4.0	0	---	26	2.3	1,126
1972	135	13.1	446	43.3	385	37.3	47	4.6	0	---	18	1.7	1,031
Teachers	2		40		6		2		0		1		51
Administrators	0		2		0		0		0		0		2
Other Prof.	0		3		1		0		0		0		4
WASHINGTON													
Pupils - 1970	38	4.3	460	52.5	336	38.3	26	3.0	3	0.3	14	1.6	877
1971	33	4.0	414	49.6	360	43.1	16	1.9	1	0.1	11	1.3	835
1972	47	6.1	337	43.6	370	47.9	12	1.6	3	0.4	3	0.4	772
Teachers	0		27		14		0		0		0		41
Administrators	0		1		1		0		0		0		2
Other Prof.	0		3		0		0		0		0		3
WILSON													
Pupils - 1970	131	11.2	663	56.8	335	28.7	28	2.4	1	0.1	10	0.8	1,168
1971	160	14.6	567	51.8	331	30.2	25	2.3	2	0.2	10	0.9	1,095
1972	154	14.8	448	42.9	409	39.2	22	2.1	3	0.3	7	0.7	1,043
Teachers	1		40		9		0		0		0		50
Administrators	0		2		0		0		0		0		2
Other Prof.	0		2		2		0		0		0		4
INTERMEDIATE OPPORTUNITY SCH.													
Pupils - 1970	3	10.7	12	42.9	13	46.4	0	---	0	---	0	---	28
1971	4	7.7	16	30.8	25	48.1	0	---	2	3.8	5	9.6	52
1972	3	7.9	6	15.8	29	76.3	0	---	0	---	0	---	38
Teachers	0		3		3		0		0		0		6
Administrators	0		1		0		0		0		0		1
Other Prof.	0		0		0		0		0		0		0
ALTERNATIVE PLANNING SCH.													
Pupils - 1972	3	20.0	9	60.0	3	20.0	0	---	0	---	0	---	15
Teachers[a]													
JUNIOR HIGH[b] TOTAL 7 & 8													
Pupils - 1970	384	8.5	2466	54.4	1477	32.6	133	2.9	16	0.4	55	1.2	4,531
1971	393	9.3	2127	50.1	1547	36.5	111	2.6	7	0.2	57	1.3	4,242
1972	420	10.5	1751	43.6	1704	42.4	105	2.6	9	0.2	29	0.7	4,018
Teachers	5		148		40		4		0		2		199
Administrators	1		7		1		0		0		0		9
Other Prof.	0		12		3		0		0		0		15

The total number of teachers and administrator for the Alternative Planning School is given on page 5.
Roosevelt School and Home Teaching not included.

408

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 6, 1972

SENIOR HIGH Grades 9-12	Spanish Surname No.	Spanish Surname Per Cent	Anglo-Caucasian No.	Anglo-Caucasian Per Cent	Negro No.	Negro Per Cent	Chinese, Japanese, Korean No.	Chinese, Japanese, Korean Per Cent	American Indian No.	American Indian Per Cent	Other Nonwhite No.	Other Nonwhite Per Cent	TOTAL No.
BLAIR HIGH													
Pupils - 1970	222	12.3	1044	57.9	437	24.2	77	4.3	5	0.3	19	1.0	1,804
1971	217	12.5	1027	59.4	399	23.1	73	4.2	1	0.1	13	0.7	1,730
1972	244	14.0	969	55.8	438	25.2	67	3.9	2	0.1	18	1.0	1,738
Teachers	5		64		5		3		0		0		77
Administrators	0		4		0		0		0		0		4
Other Prof.	0		8		2		0		0		0		10
MUIR HIGH													
Pupils - 1970	162	5.7	1420	50.2	1039	36.7	176	6.2	1	0.0	33	1.2	2,831
1971	132	5.0	1325	49.9	1019	38.3	163	6.1	1	0.0	18	0.7	2,658
1972	126	4.7	1293	48.6	1090	41.0	123	4.6	6	0.2	23	0.9	2,661
Teachers	8		95		13		4		0		0		120
Administrators	1		2		1		0		0		0		4
Other Prof.	1		9		4		0		0		0		14
PASADENA HIGH													
Pupils - 1970	306	6.9	2987	67.1	1010	22.7	68	1.5	23	0.5	59	1.3	4,453
1971	379	9.0	2506	59.3	1213	28.7	82	1.9	8	0.2	40	0.9	4,228
1972	379	9.8	2027	52.5	1302	33.8	98	2.5	10	0.3	43	1.1	3,859
Teachers	9		137		13		4		0		1		164
Administrators	0		3		1		0		0		0		4
Other Prof.	1		15		2		0		0		0		18
EVENING HIGH													
Pupils - 1971	4	8.3	42	87.5	2	4.2	0	---	0	---	0	---	48
1972	8	4.1	158	81.9	24	12.5	2	1.0	0	---	1	0.5	193
Teachers	0		2		0		1		0		0		3
Administrators	0		1		0		0		0		0		1
FOOTHILL HIGH													
Pupils - 1970	6	4.7	86	67.7	34	26.8	0	---	0	---	1	0.8	127
1971	34	9.3	193	53.0	134	36.8	2	0.6	1	0.3	0	---	364
1972	18	8.4	153	71.5	41	19.1	0	---	1	0.5	1	0.5	214
Teachers	1		13		0		0		0		0		14
Administrators	0		2		0		0		0		0		2
Other Prof.	0		0		0		0		0		0		0
ALTERNATIVE PLANNING SCH.													
Pupils - 1972	2	8.0	15	60.0	7	28.0	1	4.0	0	---	0	---	25
Teachers[a]													
SENIOR HIGH[b] TOTAL 9-12													
Pupils - 1970	696	7.6	5537	60.1	2520	27.3	321	3.5	29	0.3	112	1.2	9,215
1971	766	8.5	5093	56.4	2767	30.7	320	3.5	11	0.1	71	0.8	9,028
1972	777	9.0	4615	53.1	2902	33.4	291	3.3	19	0.2	86	1.0	8,690
Teachers	23		311		31		12		0		1		378
Administrators	1		12		2		0		0		0		15
Other Prof.	2		32		8		0		0		0		42

[a]The total number of teachers and administrator for the Alternative Planning School is given on page 5.
[b]Roosevelt School and Home Teaching not included.

409

DISTRICT SUMMARY OF RACIAL AND ETHNIC DISTRIBUTION OF CERTIFICATED EMPLOYEES

SUMMARY	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
ALL PRIMARY & ELEMENTARY SCHOOLS K-6[a]													
Teachers													
1966	7	1.1	544	84.6	78	12.1	14	2.2	0	---	0	---	643
1967	5	0.8	523	86.3	67	11.1	11	1.8	0	---	0	---	606
1968	3	0.5	465	84.1	74	13.4	11	2.0	0	---	0	---	553
1969	7	1.3	463	82.7	78	13.9	9	1.6	0	---	3	0.5	560
1970	10	1.6	498	79.6	99	15.8	13	2.1	1	0.1	5	0.8	626[b]
1971	11	1.9	440	75.3	108	18.5	15	2.6	3	0.5	7	1.2	584
1972	17	3.0	415	72.3	112	19.5	19	3.3	3	0.5	8	1.4	574
Administrators													
1966	0	---	31	91.2	3	8.8	0	---	0	---	0	---	34
1967	0	---	30	91.0	3	9.0	0	---	0	---	0	---	33
1968	1	3.0	30	90.9	2	6.1	0	---	0	---	0	---	33
1969	1	3.0	30	90.9	2	6.1	0	---	0	---	0	---	33
1970	1	3.0	29	87.9	3	9.1	0	---	0	---	0	---	33
1971	1	3.0	28	84.9	4	12.1	0	---	0	---	0	---	33
1972	1	3.1	27	84.4	4	12.5	0	---	0	---	0	---	32
Other Prof.[c]													
1966	1	5.9	15	88.2	1	5.9	0	---	0	---	0	---	17
1967	1	3.6	26	92.8	1	3.6	0	---	0	---	0	---	28
1968	2	4.0	38	76.0	10	20.0	0	---	0	---	0	---	50
1969	1	2.6	28	73.7	9	23.7	0	---	0	---	0	---	38[b]
1970	0	---	0	---	0	---	0	---	0	---	0	---	0
1971	0	---	3	60.0	2	40.0	0	---	0	---	0	---	5
1972	0	---	1	33.3	2	66.7	0	---	0	---	0	---	3
ALL JR. & SR. HIGH SCHOOLS 7-12[a]													
Teachers													
1966	12	1.9	590	92.0	34	5.3	4	0.6	0	---	1	0.2	641
1967	12	1.9	579	91.6	37	5.9	4	0.6	0	---	0	---	632
1968	9	1.4	565	90.6	46	7.4	4	0.6	0	---	0	---	624
1969	11	2.0	490	89.4	38	6.9	7	1.3	0	---	2	0.4	548
1970	32	5.3	495	82.1	61	10.1	11	1.8	1	0.2	3	0.5	603
1971	28	4.6	492	80.2	73	11.9	17	2.8	0	---	3	0.5	613
1972	28	4.9	459	79.5	71	12.3	16	2.8	0	---	3	0.5	577
Administrators													
1966	1	3.7	25	92.6	1	3.7	0	---	0	---	0	---	27
1967	1	3.7	25	92.6	1	3.7	0	---	0	---	0	---	27
1968	1	3.5	25	86.2	3	10.3	0	---	0	---	0	---	29
1969	2	7.7	21	80.8	3	11.5	0	---	0	---	0	---	26
1970	3	13.0	18	78.3	2	8.7	0	---	0	---	0	---	23
1971	2	8.7	18	78.3	3	13.0	0	---	0	---	0	---	23
1972	2	8.3	19	79.2	3	12.5	0	---	0	---	0	---	24

For footnotes, see page 13.

DISTRICT SUMMARY OF RACIAL AND ETHNIC DISTRIBUTION OF CERTIFICATED EMPLOYEES

SUMMARY (continued)	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
Other Prof.[c]													
1966	2	3.0	57	85.1	7	10.4	1	1.5	0	---	0	---	67
1967	1	1.4	62	89.9	6	8.7	0	---	0	---	0	---	69
1968	1	1.7	47	81.1	9	15.5	1	1.7	0	---	0	---	58
1969	0	---	52	86.7	8	13.3	0	---	0	---	0	---	60
1970	2	3.2	46	73.0	15	23.8	0	---	0	---	0	---	63
1971	2	3.5	46	79.3	10	17.2	0	---	0	---	0	---	58
1972	2	3.5	44	77.2	11	19.3	0	---	0	---	0	---	57
ROOSEVELT SCHOOL FOR HANDICAPPED													
Teachers													
1966	0	---	14	100.0	0	---	0	---	0	---	0	---	14
1967	0	---	14	100.0	0	---	0	---	0	---	0	---	14
1968	0	---	14	100.0	0	---	0	---	0	---	0	---	14
1969	0	---	15	100.0	0	---	0	---	0	---	0	---	15
1970	1	6.2	14	87.6	1	6.2	0	---	0	---	0	---	16
1971	1	5.6	16	88.8	1	5.6	0	---	0	---	0	---	18
1972	1	5.0	15	75.0	3	15.0	1	5.0	0	---	0	---	20
Administrators													
1966	0	---	1	100.0	0	---	0	---	0	---	0	---	1
1967	0	---	1	100.0	0	---	0	---	0	---	0	---	1
1968	0	---	1	100.0	0	---	0	---	0	---	0	---	1
1969	0	---	1	100.0	0	---	0	---	0	---	0	---	1
1970	0	---	1	100.0	0	---	0	---	0	---	0	---	1
1971	0	---	1	100.0	0	---	0	---	0	---	0	---	1
1972	0	---	1	100.0	0	---	0	---	0	---	0	---	1
Other Prof.													
1967	0	---	1	100.0	0	---	0	---	0	---	0	---	1
1968	0	---	1	100.0	0	---	0	---	0	---	0	---	1
1972	0	---	1	100.0	0	---	0	---	0	---	0	---	1
OTHERS[d]													
Teachers 1971	0	---	1	100.0	0	---	0	---	0	---	0	---	1
1972	0	---	2	66.7	1	33.3	0	---	0	---	0	---	3
ED. CENTER													
Professional Staff at Ed. Center[e]													
1966	1	1.0	90	91.8	7	7.2	0	---	0	---	0	---	98
1967	2	2.3	78	91.8	5	5.9	0	---	0	---	0	---	85
1968	2	2.7	60	81.1	12	16.2	0	---	0	---	0	---	74
1969	1	2.3	37	86.1	5	11.6	0	---	0	---	0	---	43
1970	1	1.7	54	90.0	5	8.3	0	---	0	---	0	---	60
1971	0	---	42	77.8	12	22.2	0	---	0	---	0	---	54
1972	0	---	35	81.4	8	18.6	0	---	0	---	0	---	43

410

411

DISTRICT SUMMARY OF
RACIAL AND ETHNIC DISTRIBUTION OF CERTIFICATED EMPLOYEES

SUMMARY (continued)	Surname Spanish		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
DISTRICT TOTAL													
Classroom Teachers													
1966	19	1.5	1148	88.4	112	8.6	18	1.4	0	---	1	0.1	1298
1967	17	1.4	1116	89.1	104	8.3	15	1.2	0	---	0	---	1252
1968	12	1.0	1044	87.7	120	10.1	15	1.2	0	---	0	---	1191
1969	18	1.6	968	86.2	116	10.3	16	1.4	0	---	5	0.5	1123
1970	43	3.5	1007	80.9	161	12.9	24	1.9	2	0.2	8	0.6	1245[b]
1971	40	3.3	949	78.0	182	15.0	32	2.6	3	0.3	10	0.8	1216
1972	46	3.9	891	75.9	187	15.9	36	3.1	3	0.3	11	0.9	1174
Administrators at Schools													
1966	1	1.6	57	91.9	4	6.5	0	---	0	---	0	---	62
1967	1	1.6	56	91.8	4	6.6	0	---	0	---	0	---	61
1968	2	3.2	56	88.9	5	7.9	0	---	0	---	0	---	63
1969	3	5.0	52	86.7	5	8.3	0	---	0	---	0	---	60
1970	4	7.0	48	84.2	5	8.8	0	---	0	---	0	---	57
1971	3	5.3	47	82.4	7	12.3	0	---	0	---	0	---	57
1972	3	5.3	47	82.4	7	12.3	0	---	0	---	0	---	57
Other Prof. Staff at Schools													
1966	3	3.6	72	85.7	8	9.5	1	1.2	0	---	0	---	84
1967	2	2.0	89	90.8	7	7.2	0	---	0	---	0	---	98
1968	3	2.8	86	78.9	19	17.4	1	0.9	0	---	0	---	109
1969	1	1.0	80	81.6	17	17.4	0	---	0	---	0	---	98
1970	2	3.2	46	73.0	15	23.8	0	---	0	---	0	---	63[b]
1971	2	3.2	49	77.8	12	19.0	0	---	0	---	0	---	63
1972	2	3.3	46	75.4	13	21.3	0	---	0	---	0	---	61
Prof. Staff at Ed. Center													
1966	1	1.0	90	91.8	7	7.2	0	---	0	---	0	---	98
1967	2	2.3	78	91.8	5	5.9	0	---	0	---	0	---	85
1968	2	2.7	60	81.1	12	16.2	0	---	0	---	0	---	74
1969	1	2.3	37	86.1	5	11.6	0	---	0	---	0	---	43
1970	1	1.7	54	90.0	5	8.3	0	---	0	---	0	---	60
1971	0	---	42	77.8	12	22.2	0	---	0	---	0	---	54
1972	0	---	35	81.4	8	18.6	0	---	0	---	0	---	43

For footnotes, see page 13.

Footnotes for DISTRICT SUMMARY

a. Roosevelt School and Five Acres, since 1971, not included. Five Acres certificated personnel has been included with Audubon School previous to 1971.

b. The 1970 Report to HEW required that 60 Special Teachers (Miller-Unruh, Opportunity, Special Reading, etc.) be reported with *Classroom Teachers* which accounts for much of the increase in Classroom Teachers over the number in 1969. These *Special Teachers* were reported with *Other Professional Staff* in 1969. The relatively smaller number of Classroom Teachers in 1969 was caused by two factors: cutting high school from six to five periods in 1969-70 and cutting back on the number of kindergarten teachers in 1968-69 and 1969-70.

c. Abbreviation for Professional Staff.

d. *Others* include:
Teacher 1971—Five Acres
1972—Five Acres, Hillside Episcopal Home, and Lincoln—E. H. Class, K-3.

e. *Professional Staff at Education Center* 1966 through 1971 includes certificated personnel who work directly with students but are not assigned to any one school: reading teacher specialists, psychologists, Special Education teachers, consultants, music teachers, etc. For 1972, the Reading Teacher Specialists and Music Teachers were assigned to a school rather than included with Education Center personnel.

DEFENDANTS' EXHIBIT F.

RACIAL AND ETHNIC DISTRIBUTION
OF ENROLLMENTS

October 5, 1973

Research Report No. 73/74-03

Pasadena Unified School District

Department of Planning, Research and Development

October 31, 1973

414

PASADENA UNIFIED SCHOOL DISTRICT
Department of Planning, Research and Development
October 31, 1973

RACIAL AND ETHNIC DISTRIBUTION BY GRADE LEVEL
October Enrollments - 1969 through 1973

GRADE	YEAR	Spanish Surname No.	Spanish Surname Per Cent	Anglo-Caucasian No.	Anglo-Caucasian Per Cent	Negro No.	Negro Per Cent	Chinese, Japanese, Korean No.	Chinese, Japanese, Korean Per Cent	American Indian No.	American Indian Per Cent	Other Nonwhite No.	Other Nonwhite Per Cent	TOTAL No.
DISTRICT TOTAL														
	Oct. 1969	2521	8.2	17,859	58.3	9173	30.0	824	2.7	32	0.1	213	0.7	30,622
	Oct. 1970	2666	9.2	15,647	53.7	9564	32.8	849	2.9	73	0.3	324	1.1	29,123
	Oct. 1971	2840	10.3	13,848	50.3	9774	35.5	801	2.9	47	0.2	237	0.8	27,547
	Oct. 1972	2878	11.0	12,271	46.8	10,036	38.3	730	2.8	57	0.2	253	0.9	26,225
	Oct. 1973	3087	12.2	11,188	44.0	10,155	40.0	672	2.6	56	0.2	256	1.0	25,414
K-6*	Oct. 1969	1497	9.2	8867	54.4	5393	33.1	376	2.3	25	0.2	136	0.8	16,294
	Oct. 1970	1565	10.3	7549	49.6	5521	36.3	389	2.6	28	0.2	156	1.0	15,208
	Oct. 1971	1658	11.8	6524	46.3	5397	38.3	366	2.6	29	0.2	108	0.8	14,082
	Oct. 1972	1653	12.4	5800	43.6	5355	40.3	330	2.5	29	0.2	137	1.0	13,304
	Oct. 1973	1752	13.7	5367	41.8	5246	40.9	313	2.4	27	0.2	134	1.0	12,839
7-12*	Oct. 1969	1011	7.1	8894	62.8	3733	26.4	444	3.1	7	0.1	77	0.5	14,166
	Oct. 1970	1080	7.9	8003	58.2	3997	29.1	454	3.3	45	0.3	167	1.2	13,746
	Oct. 1971	1159	8.7	7220	54.4	4314	32.5	431	3.3	18	0.1	128	1.0	13,270
	Oct. 1972	1197	9.4	6366	50.1	4606	36.3	396	3.1	28	0.2	115	0.9	12,708
	Oct. 1973	1304	10.5	5719	46.2	4848	39.2	353	2.9	29	0.2	121	1.0	12,374
SUB-TOTAL, K-12*														
	Oct. 1969	2508	8.2	17,761	58.3	9126	30.0	820	2.7	32	0.1	213	0.7	30,460
	Oct. 1970	2645	9.1	15,552	53.7	9518	32.9	843	2.9	73	0.3	323	1.1	28,954
	Oct. 1971	2817	10.3	13,744	50.2	9711	35.5	797	2.9	47	0.2	236	0.9	27,352
	Oct. 1972	2850	10.9	12,166	46.8	9961	38.3	726	2.8	57	0.2	252	1.0	26,012
	Oct. 1973	3056	12.1	11,086	44.0	10,094	40.0	666	2.7	56	0.2	255	1.0	25,213
OTHERS **														
	Oct. 1969	13	8.0	98	60.5	47	29.0	4	2.5	0	0.0	0	0.0	162
	Oct. 1970	21	12.4	95	56.2	46	27.2	6	3.6	0	0.0	1	0.6	169
	Oct. 1971	23	11.8	104	53.3	63	32.3	4	2.1	0	0.0	1	0.5	195
	Oct. 1972	28	13.1	105	49.3	75	35.2	4	1.9	0	0.0	1	0.5	213
	Oct. 1973	31	15.4	102	50.7	61	30.4	6	3.0	0	0.0	1	0.5	201

* Enrollment without Roosevelt Sch., Home Teaching, Five Acres, Hillside Epis. Home, & EH Class - K-3 at Lincoln Elem.

** Including Roosevelt Sch., Home Teaching, Five Acres, Hillside Epis. Home, & EH Class - K-3 at Lincoln Elem.

- 1 -

LEVEL AND SCHOOLS	Spanish Surname No.	Spanish Surname Per Cent	Anglo-Caucasian No.	Anglo-Caucasian Per Cent	Negro No.	Negro Per Cent	Chinese, Japanese, Korean No.	Chinese, Japanese, Korean Per Cent	American Indian No.	American Indian Per Cent	Other Nonwhite No.	Other Nonwhite Per Cent	TOTAL No.
PRIMARY K-3													
Allendale	78	18.8	149	35.9	165	39.8	16	3.8	2	0.5	5	1.2	415
Audubon	37	7.9	186	39.6	226	48.1	13	2.7	2	0.4	6	1.3	470
Burbank	46	11.6	194	48.7	153	38.4	4	1.0	1	0.3	-	---	398
Don Benito	47	9.2	209	40.7	241	47.0	9	1.7	2	0.4	5	1.0	513
Franklin	38	8.5	149	33.4	236	52.9	18	4.1	-	---	5	1.1	446
Hamilton	121	22.4	182	33.7	203	37.6	19	3.5	2	0.4	13	2.4	540
Jefferson	243	30.6	301	38.0	214	27.0	16	2.0	2	0.3	17	2.1	793
Linda Vista	65	17.8	165	45.2	109	29.9	22	6.0	-	---	4	1.1	365
Noyes	20	5.7	149	42.3	172	48.9	8	2.3	-	---	3	0.8	352
San Rafael	76	18.6	156	38.2	165	40.5	8	2.0	-	---	3	0.7	409
Sierra Madre	58	12.2	240	50.4	166	34.9	8	1.7	1	0.2	3	0.6	476
Sierra Mesa	15	4.9	116	38.2	168	55.3	3	1.0	1	0.3	1	0.3	304
Webster	81	12.6	335	52.0	216	33.5	7	1.1	-	---	5	0.8	644
Willard	133	19.9	296	44.4	226	33.9	10	1.5	-	---	2	0.3	667
Alternative Sch.	8	9.0	47	52.8	27	30.4	5	5.6	2	2.2	-	---	89
Marshall Fund.	34	12.7	129	48.1	89	33.2	8	3.0	1	0.4	7	2.6	268
TOTAL, K-3*	1100	15.4	3003	42.0	2776	38.9	174	2.4	16	0.2	79	1.1	7148
ELEMENTARY 4-6													
Altadena	40	7.0	252	43.9	261	45.5	17	2.9	-	---	4	0.7	574
Cleveland	12	4.7	115	45.3	120	47.2	7	2.8	-	---	-	---	254
Edison	16	3.6	163	36.3	255	56.8	9	2.0	-	---	6	1.3	449
Field	53	9.4	282	49.7	219	38.6	13	2.3	-	---	-	---	567
Hale	66	14.5	201	44.3	168	37.0	13	2.9	-	---	6	1.3	454
Jackson	70	15.2	206	44.8	152	33.1	24	5.2	1	0.2	7	1.5	460
Lincoln	79	24.6	107	33.2	128	39.8	4	1.2	-	---	4	1.2	322
Loma Alta	15	3.4	153	34.0	271	60.2	10	2.2	-	---	1	0.2	450
Longfellow	68	10.0	289	42.4	299	43.9	18	2.6	5	0.7	3	0.4	682
Madison	174	28.1	197	31.8	226	36.4	8	1.3	3	0.5	12	1.9	620
Washington	27	5.0	243	45.2	258	47.9	8	1.5	-	---	2	0.4	538
Alternative Sch.	8	10.5	37	48.7	25	32.9	3	4.0	2	2.6	1	1.3	
Marshall Fund.	24	9.8	119	48.6	88	35.9	5	2.0	-	---	9	3.7	245
TOTAL, 4-6*	652	11.5	2364	41.5	2470	43.4	139	2.4	11	0.2	55	1.0	5691
TOTAL, K-6*	1752	13.7	5367	41.8	5246	40.9	313	2.4	27	0.2	134	1.0	12,839

*Totals without pupils at Roosevelt, Home Teaching, Five Acres, Hillside Episcopal Home, and EH Class - K-3 at Lincoln Elementary.

LEVEL AND SCHOOLS	Spanish Surname No.	Spanish Surname Per Cent	Anglo-Caucasian No.	Anglo-Caucasian Per Cent	Negro No.	Negro Per Cent	Chinese, Japanese, Korean No.	Chinese, Japanese, Korean Per Cent	American Indian No.	American Indian Per Cent	Other Nonwhite No.	Other Nonwhite Per Cent	TOTAL No.
Brought Forward K-6*	1752	13.7	5367	41.8	5246	40.9	313	2.4	27	0.2	134	1.0	12,839
JUNIOR HIGH 7-8													
Eliot	82	7.7	413	38.9	545	51.3	16	1.5	2	0.2	4	0.4	1062
McKinley	141	15.5	344	37.7	362	39.7	45	4.9	3	0.3	17	1.9	912
Washington	37	5.7	285	44.1	313	48.5	6	0.9	4	0.6	1	0.2	646
Wilson	155	16.2	360	37.5	418	43.5	17	1.8	2	0.2	8	0.8	960
Intermediate Opportunity	4	14.3	6	21.4	18	64.3	--	---	-	---	-	---	28
Alternative Sch.	7	14.9	22	46.8	16	34.1	1	2.1	1	2.1	-	---	47
Marshall Fund.	38	12.1	164	52.4	101	32.3	5	1.6	-	---	5	1.6	313
TOTAL, 7-8*	464	11.7	1594	40.2	1773	44.7	90	2.2	12	0.3	35	0.9	3968
SENIOR HIGH 9-12													
Blair	284	16.2	898	51.2	484	27.6	62	3.5	4	0.2	22	1.3	1754
Foothill	22	9.7	121	53.5	82	36.3	1	0.5	-	---	--	---	226
Muir	156	5.8	1163	43.3	1219	45.4	117	4.4	4	0.2	25	0.9	2684
PHS	346	10.2	1690	49.6	1241	36.5	82	2.4	8	0.2	37	1.1	3404
Alternative Sch.	10	14.3	40	57.2	18	25.7	1	1.4	1	1.4	-	---	70
Evening High	22	8.2	213	79.5	31	11.6	-	---	-	---	2	0.7	268
TOTAL, 9-12*	840	10.0	4125	49.1	3075	36.6	263	3.1	17	0.2	86	1.0	8406
SUB-TOTAL, K-12*	3056	12.1	11,086	44.0	10,094	40.0	666	2.7	56	0.2	255	1.0	25,213
Roosevelt:													
K-6	19	14.6	63	48.5	41	31.5	6	4.6	-	---	1	0.8	130
7-12	5	13.5	22	59.5	10	27.0	-	---	-	---	-	---	37
Five Acres, 1-6	1	10.0	8	80.0	1	10.0	-	---	-	---	-	---	10
Home Teaching													
K-3	1	33.3	2	66.7	-	----	-	---	-	---	-	---	3
4-6	1	50.0	1	50.0	-	----	-	---	-	---	-	---	2
7-12	1	12.5	4	50.0	3	37.5	-	---	-	---	-	---	8
Hillside Episcopal Home	-	---	1	25.0	3	75.0	-	---	-	---	-	---	4
Lincoln - E.H. Class, K-3	3	42.9	1	14.2	3	42.9	-	---	-	---	-	---	7
DISTRICT TOTAL	3087	12.2	11,188	44.0	10,155	40.0	672	2.6	56	0.2	256	1.0	25,414

*Totals without pupils at Roosevelt, Home Teaching, Five Acres, Hillside Episcopal Home, and EH Class - K-3 at Lincoln Elementary.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT
FOR FRANKLIN, SIERRA MESA, EDISON, LOMA ALTA AND ELIOT
OCTOBER 1970 THROUGH OCTOBER 1973

SCHOOL (Grades)	Spanish Surname No.	Spanish Surname Per Cent	Anglo Caucasian No.	Anglo Caucasian Per Cent	Negro No.	Negro Per Cent	Chinese, Japanese, Korean No.	Chinese, Japanese, Korean Per Cent	American Indian No.	American Indian Per Cent	Other Nonwhite No.	Other Nonwhite Per Cent	T
FRANKLIN (K-3													
Pupils - 1970	48	8.2	242	41.4	265	45.4	24	4.1	1	0.2	4	0.7	
1971	58	10.6	201	36.8	270	49.5	16	2.9	0	--	1	0.2	
1972	47	9.0	172	32.7	283	53.9	19	3.6	2	0.4	2	0.4	
1973	38	8.5	149	33.4	236	52.9	18	4.1	0	--	5	1.1	
SIERRA MESA (K-3)													
Pupils - 1970	17	3.6	242	50.7	206	43.2	11	2.3	0	--	1	0.2	
1971	20	4.5	222	50.4	192	43.5	6	1.4	0	--	1	0.2	
1972	16	4.3	158	42.8	192	52.0	2	0.6	1	0.3	0	--	
1973	15	4.9	116	38.2	168	55.3	3	1.0	1	0.3	1	0.3	
EDISON (4-6)													
Pupils - 1970	20	4.5	230	51.6	175	39.2	19	4.3	0	--	2	0.4	
1971	21	5.1	195	46.9	177	42.5	18	4.3	0	--	5	1.2	
1972	24	4.9	202	41.3	245	50.1	11	2.3	0	--	7	1.4	
1973	16	3.6	163	36.3	255	56.8	9	2.0	0	--	6	1.3	
LOMA ALTA (4-6)													
Pupils - 1970	27	4.3	318	50.7	268	42.8	12	1.9	0	--	2	0.3	
1971	31	5.1	252	41.1	318	51.9	10	1.6	0	--	2	0.3	
1972	24	4.9	194	39.7	261	53.4	8	1.6	0	--	2	0.4	
- - 1973	15	3.4	153	34.0	271	60.2	10	2.2	0	--	1	0.2	
ELIOT (7-8)													
Pupils - 1970	76	6.0	688	54.9	449	35.8	20	1.6	6	0.5	15	1.2	
1971	67	5.9	569	50.2	466	41.1	25	2.2	2	0.2	5	0.4	
1972	78	7.0	505	45.1	508	45.4	24	2.1	3	0.3	1	0.1	
1973	82	7.7	413	38.9	545	51.3	16	1.5	2	0.2	4	0.4	

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT FOR
MCKINLEY, WASHINGTON AND WILSON - OCTOBER 1970 THROUGH OCTOBER 1973
January 30, 1974

	Spanish Surname No.	Spanish Surname Per Cent	Anglo-Caucasian No.	Anglo-Caucasian Per Cent	Negro No.	Negro Per Cent	Chinese, Japanese, Korean No.	Chinese, Japanese, Korean Per Cent	American Indian No.	American Indian Per Cent	Other Nonwhite No.	Other Nonwhite Per Cent	TOTAL No.
MCKINLEY													
Pupils - 1970	136	11.3	643	53.4	344	28.6	59	4.9	6	0.5	16	1.3	1,204
1971	129	11.5	561	49.8	365	32.4	45	4.0	0	---	26	2.3	1,126
1972	135	13.1	446	43.3	385	37.3	47	4.6	0	---	18	1.7	1,031
1973	141	15.5	344	37.7	362	39.7	45	4.9	3	0.3	17	1.9	912
WASHINGTON													
Pupils - 1970	38	4.3	460	52.5	336	38.3	26	3.0	3	0.3	14	1.6	877
1971	33	4.0	414	49.6	360	43.1	16	1.9	1	0.1	11	1.3	835
1972	47	6.1	337	43.6	370	47.9	12	1.6	3	0.4	3	0.4	772
1973	37	5.7	285	44.1	313	48.5	6	0.9	4	0.6	1	0.2	646
WILSON													
Pupils - 1970	131	11.2	663	56.8	335	28.7	28	2.4	1	0.1	10	0.8	1,168
1971	160	14.6	567	51.8	331	30.2	25	2.3	2	0.2	10	0.9	1,095
1972	154	14.8	448	42.9	409	39.2	22	2.1	3	0.3	7	0.7	1,043
1973	155	16.2	360	37.5	418	43.5	17	1.8	2	0.2	8	0.8	960

BEST COPY AVAILABLE

420

DEFENDANTS' EXHIBIT K.

PASADENA UNIFIED SCHOOL DISTRICT
Decline in Anglo-Caucasian Enrollment
February 21, 1974

	Year	Caucasian Enrollment[a]	Caucasian Enrollment Decrease	% Decrease Each Year*	Total % Decrease 1969-1973
K-12	1964	21,695			
	1965	21,488	—207	—1.0	
	1966	20,958	—530	—2.5	
	1967	20,049	—909	—4.3	
	1968	19,008	—1041	—5.2	
	1969	17,859	—1149	—6.0	
	1970**	15,647	—2212	—12.4	
	1971	13,848	—1799	—11.5	
	1972	12,271	—1577	—11.4	
	1973	11,188	—1083	—8.8	—37.4% (—6,671)
K-6	1969	8,867			
	1970**	7,549	—1318	—14.9	
	1971	6,524	—1025	—13.6	
	1972	5,800	—724	—11.1	
	1973	5,367	—433	—7.5	—39.5% (—3,500)
7-8	1969[b]	2,766			
	1970**	2,466	—300	—10.8	
	1971	2,127	—339	—13.7	
	1972	1,751	—376	—17.7	
	1973	1,594	—157	—9.0	—42.4% (—1,172)
9-12	1969[b]	6,070			
	1970**	5,537	—533	—8.8	
	1971	5,093	—444	—8.0	
	1972	4,615	—478	—9.4	
	1973	4,125	—490	—10.6	—32.0% (—1,945)

*Based on Number of Caucasian Students and not Per Cent of Caucasians of the District Total.

**Pasadena Plan Implemented.

[a]The Special Education Students at Roosevelt, Home Teaching, Five Acres, Hillside Episcopal Home and E. H. Class at Lincoln are included in the total K-12, but excluded by levels—K-6, 7-8, and 9-12 and therefore will not agree.

[b]The organization for Secondary Level for 1969 was Grades 7-9 and Grades 10-12. Adjustments were made from information from the State Ethnic report by Grades, which excludes Special Education, for Grades 7-8 and 9-12 for 1969.

DEFENDANTS' EXHIBIT M.

THE NEW PASADENA PLAN

A Recommended New Approach to
Achieve Voluntary Integration
and Equality of Educational
Opportunity in the Pasadena
Unified School District

by

H. Marcheschi, Member
Board of Education
Pasadena Unified School District
Pasadena, California

Part I—The Urgent Need for Change.

October 26, 1971.

> "Nature smiles at the union of freedom and equality in our utopias. For freedom and equality are sworn and everlasting enemies and when one prevails the other dies. . . . Utopias of equality are biologically doomed, and the best that the amiable philosopher can hope for is an approximate equality of legal justice and educational opportunity."
>
> Will and Ariel Durant
> *The Lessons of History*

THE NEW PASADENA PLAN.

Part I—The Urgent Need for Change.

1.0 Foreword

In October, 1970, the Pasadena Unified School District, acting under a federal court mandate that "no school shall have a majority of a minority race" implemented a plan to desegregate its schools at all levels.

The Pasadena Plan, as the plan of implementation is called, encompasses mandatory attendance of approximately one-half of the total school population at schools other than neighborhood schools and includes the busing of minority group children into white neighborhoods as well as the busing of white children into minority group neighborhoods. A primary objective of the Pasadena Plan is the assignment of children to schools in a manner such that each school will, in general, be "racially balanced;" that is, each school will generally reflect the ethnic composition of the school district as a whole. At this writing the Plan is in the second school month of its second school year.

Part I of this presentation is intended to set forth and substantiate the compelling reasons why the Pasadena Plan is counter-productive, why it is not working now, and why it will not work in the future. By so doing, I respectfully hope to persuade the Pasadena School Board to effect certain and marked changes to the Plan, which changes will be set forth in Part II of the presentation.

2.0 Common Goals

Our community continues to experience marked and highly emotional conflict between opponents and proponents of the Pasadena Plan. It would be folly to underestimate the depth and accompanying dangers of this conflict. It would be even more foolish, however, to ignore that a consensus of agreement generally exists throughout the community on the basic objectives we are trying to achieve. *We differ not in goals but in means.* If there is hope to resolve the conflict—and I am highly optimistic there is *substantial* hope—then we must elevate our minds and spirit away from that which divides us to that on which we can agree.

Let us then start here. What *are* we trying to achieve?

2.1 *I believe we must* purge our school system completely and absolutely of any and all vestiges of discrimination. Purposeful acts resulting in forced segregation are legally and morally wrong and cannot be countenanced.

2.2 *I believe we must* use our schools to the greatest degree possible as one of many ways to achieve interracial harmony and true and lasting brotherhood between all races.

2.3 *I believe we must* provide quality education to *all* children with special and priority emphasis on raising the woefully inadequate achievement levels of many minority and low SES children who are being denied equality of educational opportunity.

2.4 *I believe we must* achieve the foregoing goals *without* infringing on individual freedom and without destroying personal liberty.

Although I have carried the glorious burden of idealism as long as I can remember, in recent years I have come to realize that in this imperfect world of imperfect men, we should *set* goals based on the world as we would like it to be and *achieve* goals based on the world as it is. The general objectives of the Pasadena Plan are noble and most worthy. It is the *means* that are impracticable, unworkable, and, in reality, paradoxically counter-productive.

The remainder of this presentation will address itself to these impracticalities, the urgent need for changes, and the legal ramifications of how we might achieve these changes.

3.0 "White Flight"

Coincident with implementation of the Pasadena Plan in October, 1970, the school district experienced a loss of 2,212 white students, a drop of 12.4%, or one out of every eight children in the entire district. In the second year of the Plan,

an *additional* 1,800 white students, or 11.5%, of the prior year white school population was lost. Put another way, approximately one out of every four white students who attended our public schools prior to implementation of the Pasadena Plan have now left the school system. White enrollment has dropped from 58.3% of the total student body in October, 1969, to approximately 50% in October, 1971.

Even more ominous is the white exodus from the elementary schools, ammounting to 1,318 white children, or 14.9%, coincident with the first year of the Plan, and an *additional* 1,025 white children, or 13.6%, in the second year of the Plan. White elementary students now comprise only 46.4% of the total district elementary enrollment compared to 54.4% in October, 1969.

While it is true that in the period 1967 through 1969, the three years preceding the Pasadena Plan, the district averaged a white exodus of approximately 5.1% per year, it is also true the exodus markedly increased two and one-half times coincident with introduction of the Pasadena Plan. It also must be noted that in the eight year period from 1958 through 1966, no white exodus of any consequence whatsoever was experienced and that the sudden surge in 1967 may have at least in part been due to the consideration and discussion of various integration plans by the school board.

Studies of other school systems which have implemented forced racial balance plans and experienced similar exodus give absolutely no hope that white exodus can be stemmed in the Pasadena School District if we continue on the present course. After reaching the present racial balance of the Pasadena School District, such other school systems have quickly "tipped" and become predominantly composed of minority children in very short time. In the Pasadena area many parents can readily avail themselves of an extraordinarily high percentage of private schools. There exists relative ease of movement into surrounding "lily-white" school districts. This argues conclusively

against stabilization without major changes in the Pasadena Plan.

The need to stop white exodus from the school district is paramount. In precarious balance hangs the future of our school system, the success of its educational programs, as well as the financial viability of our community. If we fail, those who will suffer most are the very children we are most trying to help—those who can't afford to go to private schools and those who can't afford to move to other districts.

4.0 The Effects of Forced Racial Balance on Student Achievement

In the past two years a growing body of authoritative educational research contradicts the premise that an increase in minority achievement can be directly correlated to integrated educational settings, especially when white students do not comprise the overwhelming maojrity of the integrated student population. This premise is the keystone of arguments in favor of racially balanced schools and its objective repudiation in turn should form the keystone of arguments against the theory. Hence, a major portion of my presentation is devoted to such repudiation.

Based on the racial mix presently existing in the Pasadena School District, there is strong agreement among most all authorities that racial balance will not increase minority group achievement. In fact, there is general agreement that with racial balancing at our present levels, not only will we fail to gain increased minority group achievement, but some danger of decreased white achievement may exist.

Racial and Social Class Isolation in the Schools, published in December, 1969, by the New York State Education Department, has been hailed by various authorities including Dr. James S. Coleman of Johns Hopkins University as one of the most comprehensive and authoritative studies written to date

on the subject. A copy of Chapter 4 of the study is included as Exhibit I. Particularly because the study is considered to be favorable to school integration, an examination of some of its conclusions is especially pertinent to our situation in Pasadena.

> (page 207)
> The proportion of lower status students in the school should not exceed 30 to 40 percent if the transfer of lower social status minority group students is to be educationally effective.
>
> (page 208)
> "It is probable that integration strategies *would be harmful* to the educational development of *all* student groups involved if the result of such strategies were the creation of schools in which the school population was nearly 50 percent lower status." (emphasis added)
>
> (page 209)
> "It is evident from the results of all studies reviewed that the achievement level of disadvantaged minority group students still remains substantially below that of advantaged whites, even when they attend upper status-predominantly white classes and schools."

This latter quotation is of particular interest. If under the most ideal circumstances racial mixing produces a relatively small narrowing of the achievement gap between white and minority students (Coleman estimates this to be 20 to 25 percent), then we must sorely question the efficacy of the solution. If we reject genetic deficiency theories—and I believe they must be rejected—the only rational conclusion is to seek and implement other strategies, whatever they may be, to close the gap as completely as we can. Put another way, it integrated settings *under the best of circumstances* leave a 75 to 80 percent gap between disadvantaged and advantaged group performance; racial balancing is a cruel hoax and other alternatives are an absolute necessity.

"Desegregation and Minority Group Performance," a review of all major and local studies on minority group performance in integrated settings, by Dr. Nancy H. St. John of Harvard University, published in the February, 1970, *Review of Educational Research,* reveals "rather inconclusive evidence of a relation between ethnic integration and achievement." The article is included as Exhibit II.

An analysis by Harold Kurtz, presented to the Pasadena School Board on June 15, 1971, and included herewith as Exhibit III, further delves into the improbability of increased minority achievement at racial mix percentages as they presently exist in the Pasadena School District. Utilizing data from the Coleman Report and the Civil Rights Commission Study, *Racial Isolation in the Public Schools,* the Kurtz work suggests the possibility of deteriorating white performance where classrooms are composed half of predominantly disadvantaged minority students. Mr. Kurtz' conclusions in this regard are supported by Dr. James Coleman. In testimony before the Select Committee on Equal Educational Opportunity of the U. S. Senate on April 21, 1970, Dr. Coleman stated:

> "When the school composition comes to be predominantly —that is, more than 50%—from disadvantaged backgrounds, whether white or black, then the performance of children from better backgrounds, better educational backgrounds, is reduced."

An additional study in draft form by Mr. Kurtz titled "Performance of Disadvantaged Minority Students as a Function of Their Percentage in Schools" is included as Exhibit IV. In this study Mr. Kurtz documents that significant disadvantaged group achievement gains occur only when the percentage of advantaged students is at least 70%.

Most compelling are the results of continuing study of integration in Riverside, California, outlined in *The Achievement of Pupils in Desegregated Schools,* Riverside School District, March, 1971, by Dr. Mabel C. Purl. The report is included as

Exhibit V. Primary conclusions of the report include the following:

> "Achievement of bused pupils did not increase; *the gap between bused pupils and other pupils was at least as wide in 1970 as in 1966."*

Further:

> "Low and average achieving bused pupils in the second and third grades achieved less in desegregated schools than they had in segregated schools."

The overwhelming failure of the Riverside integration plan to improve minority group achievement is confirmed by Dr. Jane Mercer, University of California, Riverside, who reports "no discernible change in minority group achievement attributable to integration."

The constraints of time preclude further documentation of what is now, at least to me, an irrefutable fact—*no increase in minority group achievement can be expected to derive from racial balancing in the Pasadena school system at our present ethnic and socio-economic mix.*

Arguments to the contrary must stand the test of objective inquiry. For example, thorough analysis of the recent *Los Angeles Times* article on alleged increases in minority achievement in the Sacramento schools has shown the reported conclusions to be grossly in error. A copy of the analysis is included as Exhibit VI. Similarly, other analyses which heretofore have shown favorable correlation between racial balancing and minority group performance (especially the landmark U. S. Commission on Civil Rights report, *Racial Isolation in the Public Schools*) are under increasing attack as being less than objective.

Contradictions in the theory that racial balancing increases minority group performance promise to grow rather than abate in the months ahead. For example, it is understood that repudiation of the theory will comprise a major element in the current

appeal by the Los Angeles School District of the Gittleson decision. Accordingly, these major challenges to the heart of the racial balance rationale must be coped with. They can no longer be ignored.

We are left with a dilemma. If forced racial balance, especially at the levels of ethnic percentages that prevail in Pasadena, will not improve minority group achievement, then what will? Regrettably, educational "experts" do not have absolute solutions, but at least there are some clues which suggest a plurality of alternatives designed to tailor education to the special needs of special children.

5.0 *Special Needs of Minority Children*

A grossly overlooked but most important conclusion of the Coleman Report is the following:

> "A pupil attendance factor which appears to have a stronger relationship to achievement than do all the 'school' factors together is the extent to which an individual feels he has some control over his own destiny. . . . The responses of pupils to questions in the survey show that minority pupils, except for Orientals, have far less conviction than whites that they can affect their own environments and futures. When they do, however, their achievement is higher than that of whites who lack that conviction."

Is this special need related to confidence and self-esteem necessarily optimized by racially balancing schools? Hardly. Many majority black schools such as Malcolm X High School in Chicago, Illinois, are showing marked improvement in achievement without racial balance. The stress here is on racial pride, ethnicity, and the exhaltation rather than the "putting down" of cultural differences.

Other clues suggest special patterns of learning ability among disadvantaged children, patterns which should be capitalized upon rather than ignored. In "Learning Patterns in the Disadvantaged," a landmark study by Susan S. Stadolsky and Gerald

Lesser in the Fall, 1967, *Harvard Education Review*, we find, contrary to current myths, different patterns of mental ability for various ethnic groups *regardless* of social class. Further suggested are special educational programs compatible to these special abilities. A copy of the article is included as Exhibit VII.

Also included as Exhibits VIII, IX and X, respectively, are "Early Childhood Intervention: The Social Science Base of Institutional Racism," by Stephen S. and Joan C. Baratz; *Harvard Educational Review*, February, 1970, "Deficit, Difference, and Bicultural Models of Afro-American Behavior," by Charles Valentine, *Harvard Educational Review*, May, 1971; and "Race and Education: A Search for Legitimacy" by Charles V. Hamilton, *Harvard Educational Review*, Fall, 1968. All of these reports underscore the need to recognize special educational needs for some minority children that markedly differ from the needs of most white children.

To those special educational needs we must add the very real and growing demand of certain sections of the Black community for greater control of their schools. At the very least, Black parents should have the right, *if they so choose*, to send their children to predominantly Black schools where the educational process is especially tailored to Black needs *as Blacks see these needs.*

If for no other reason, the failure of the Pasadena Plan to recognize and address itself to such special educational and community needs in and of itself mandates change.

6.0 *Other Problems*

Other serious problems have resulted from implementation of the Pasadena Plan. There is the monetary cost of extensive busing, estimated to be in the range of $750,000 to $1,000,000, as well as the high social cost being paid in the disruption of pre-school and post-school activities including religious instruction, scouting, etc.

One of the most perceptive delineation of problems associated with the Pasadena Plan has been prepared by the school district itself and is set forth in an application for funding under the Emergency School Assistance Program (ESAP) in August of this year. A complete listing of these problems, abstracted verbatim from the application, is included as Exhibit XI.

Particularly critical are the problems associated with the wide differences in achievement which now exist in the classroom as a result of the Pasadena Plan (Problem 1), and the resulting frustration and lack of accomplishment that is felt by disadvantaged students as a result (Problem 6). In addition, it is much more difficult and costly to implement special programs for disadvantaged students evenly dispersed throughout the school system.

Assuming unlimited funding, some of the problems delineated in the ESAP proposal could be resolved. Put another way, the Pasadena Plan, in order to be educationally successful, requires substantial increased costs in the form of lower student-pupil ratios, teacher aids, etc. It is highly doubtful whether these costs can be supported over a long term. Already, we have failed to receive but a fraction of the monies under ESAP which the school district felt absolutely essential to solve the problems associated with the Pasadena Plan.

7.0 The Legal Question

Let me make it unquestionably clear that under no circumstances do I favor "defiance" of the present Court mandate. Whether we agree or disagree with the Pasadena Plan and the decision of Judge Real, respect of law and social order is paramount to all other considerations for such is the heart and soul of our American System.

How, then, do we implement modifications of the present plan? How do we overcome the present mandate that "no school shall have a majority of a minority race"? I readily admit this restriction is not compatible to certain aspects of the New

Pasadena Plan which I will set forth in Part II of this presentation.

The first step is for a majority of the Pasadena School Board to agree on such modifications and present them to the District Court for approval. In view of the radical changes in circumstances which have occurred since the decision, and especially in view of the Supreme Court decision in the *Swann* case, I have every reason to hope the District Court would look favorably on a new plan.

Assuming the District Court did not approve the recommended changes, the Pasadena Board of Education would then be in a position to appeal the denial. Again, I am advised by highly competent legal authority there is reason to believe that higher courts would reverse such a denial.

Absent a majority decision by the Pasadena School Board to request approval for a new Plan, there is growing hope a suit brought on the merits of the case by an intervening group would at this point be heard. Further, the Board can be reconstituted by the elective process to produce a majority which would present a new Plan to the District Court for approval.

One thing is imminently clear. The Pasadena School Board can no longer hide behind the federal court mandate. It is within the power of the Pasadena School Board to seek change and it is within the power of the Pasadena School Board to achieve change.

8.0 A Time for New Decisions

The decision of the Pasadena Board of Education to implement the Pasadena Plan was a most courageous decision. While I strongly disagree with the decision, I do not for one moment question the sincerity and the integrity of those who made the decision at the time and under the circumstances the decision was made.

We are now in a position to look back and ask these questions:

8.1 Would we have implemented the Pasadena Plan in its present form if we knew that by October, 1971, one out of every four white children would have withdrawn from the school district?

8.2 Would we have implemented the Pasadena Plan in its present form if we knew that racially balanced schools at our present levels will not materially improve minority group achievement?

8.3 Would we have implemented the Pasadena Plan in its present form if we knew that it does not satisfy special educational needs of certain minority group children and is in conflict with the educational philosophy of some segments of the Black community?

8.4 Would we have implemented the Pasadena Plan in its present form if we knew that the school district would wind up shouldering the near-entire burden of the gross incremental costs associated with the Plan?

8.5 Would we have implemented the Pasadena Plan in its present form if we knew of the subsequent clarification that has occurred in the law, especially regarding the indisputable fact that racially balanced schools in and of themselves are not constitutionally required?

I respectfully suggest that the answer to at least some of these questions is a resounding NO!

The time is here for new decisions. These decisions will take the same courage, the same sincerity, and the same integrity that exemplified the decision to implement the original plan. There is no doubt in my mind that this school board will so proceed.

It is in this spirit that I look forward to presenting my recommendations for a New Pasadena Plan, a plan designed above all else to foster true integration and indeed provide all children equal opportunity to quality education.

DEFENDANTS' EXHIBIT AU.

RACIAL AND ETHNIC DISTRIBUTION OF STUDENT ENROLLMENT AND CERTIFIED EMPLOYEES IN THE PASADENA UNIFIED SCHOOL DISTRICT.

October 8, 1971.

Research Report No. 71/72-02.

Pasadena Unified School District,
Department of Planning, Research and Development.

February, 1972.

TABLE OF CONTENTS.

PAGE

Foreword ii
Summary:
All Primary and Elementary Schools, K-6 1
All Junior and Senior High Schools, 7-12 1
Roosevelt School for Handicapped 1
Five Acres 2
Education Center 2
District Total 2
Primary Schools, K-3 3
Primary Total 5
Elementary Schools, 4-6 6
Elementary Total 7
Junior High Schools, 7 and 8 8
Junior High Total 8
Senior High Schools, 9-12 9
Senior High Total 9
District Summary of Certificated Employees:
All Primary and Elementary Schools, K-6 10
All Junior and Senior High Schools, 7-12 10
Roosevelt School for Handicapped 11
Five Acres 11
Education Center 11
District Total 12

FOREWORD.

This report presents a survey of the racial and ethnic distribution of students and certificated employees on a school-by-school basis as of October 8, 1971. The basic data collected for the individual reports were supplied by the Department of Personnel Services, Food Services, Data Processing Services, Operations and Transportation Services, Division of Elementary Education, and the individual schools. A report for 1971-72 was completed for each school and submitted to the Department of Health, Education and Welfare[1] and the California State Department of Education.[2]

In addition to the 1970-71 and 1971-72 Racial and Ethnic Distribution of Enrollment, the full-time Professional Instructional Staff for 1971-72 is included. The definition for Full-Time Professional Instructional Staff given by the U. S. Department of Health, Education and Welfare, Office for Civil Rights, is the following:

> "Professional Instructional Staff" includes: Classroom teachers; principals; assistant principals; and those staff members who are supervisors of instruction, curriculum consultants, school librarians, non-classroom teachers (homebound, etc.), audio-visual staff, T.V. teachers, guidance counselors, and school psychologists.
>
> "Professional Instructional Staff" does *NOT* include: Chief administrative officer of the school system (superintendent); para-professional staff members (teacher's aides, student teachers, etc.); non-instructional staff members, such as attendance, business, financial, professional health personnel (doctors and nurses), school social workers, transportation, clerical, custodial, and food service personnel.

1. Fall, 1971, Elementary and Secondary School Civil Rights Survey Forms OS/CR 101—School System Summary Report and OS/CR 102—Individual School Campus Report.

2. California State Department of Education, Bureau of Intergroup Relations, Racial and Ethnic Distribution of Enrollment in Public Schools, Form IR-1 (Rev. 6-71-.

The categories listed in this report include the following personnel:

> *Teachers*—Classroom teachers, Miller-Unruh teachers, special education teachers assigned to a school, Opportunity, Resource, ESEA, teacher-specialists, project teachers, Junior High Student Advisors, etc.
>
> *Administrators*—Principals and Assistant Principals.
>
> *Other Professional Instructional Staff*—Elementary Trainees, Counselors, Librarians and Deans.
>
> *Professional Staff at Education Center*—Full-time professional instructional staff members (see definition preceeding page) who are full-time in this school system, but who are *not* full-time staff members at one particular school campus. In addition, included in this category are teachers from the Special Education Department and the Music Department.

Since the enrollment figures in Research Reports 257a, 267a, 274a, 282a, and 292 for 1966, 1967, 1968, 1969, and 1970 were reported in the six categories used then and still specified by the State Department of Education, enrollments are reported for the same six categories in this publication, Research Report 71/72-02. Also included in the Summary of this report are comparisons of student enrollments in Grades K-6, 7-12, and the District for the years 1966, 1967, 1968, 1969, 1970, and 1971.

For comparative purposes, a District Summary of Racial and Ethnic Distribution of Certificated Employees is given for the years 1966, 1967, 1968, 1969, 1970, and 1971. The summary includes Grades K-6, 7-12, and the District by Teachers, Administrators, and Other Professional Staff.

428

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 8, 1971

SUMMARY	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
ALL PRIMARY & ELEMENTARY SCHOOLS K-6[a]													
Pupils - 1966	1243	7.1	10,831	62.0	4794	27.5	427	2.5	7	---	164	0.9	17,46
1967	1257	7.4	10,162	59.7	5069	29.8	416	2.4	13	0.1	103	0.6	17,0
1968	1400	8.4	9469	56.6	5274	31.6	419	2.5	18	0.1	139	0.8	16,7
1969	1497	9.2	8867	54.4	5393	33.1	376	2.3	25	0.2	136	0.8	16,29
1970	1565	10.3	7549	49.6	5521	36.3	389	2.6	28	0.2	156	1.0	15,20
1971	1658	11.8	6524	46.3	5397	38.3	366	2.6	29	0.2	108	0.8	14,08
1971													
Teachers	11	1.9	440	75.3	108	18.5	15	2.6	3	0.5	7	1.2	58
Administrators	1	3.0	28	84.9	4	12.1	0	---	0	---	0	---	3
Other Prof.[b]	0	---	3	60.0	2	40.0	0	---	0	---	0	---	
ALL JR. & SR. HIGH SCHOOLS 7-12[a]													
Pupils - 1966	797	5.6	10,034	69.9	2833	19.7	535	3.7	5	---	149	1.1	14,35
1967	890	6.2	9788	67.9	3133	21.7	533	3.7	7	0.1	63	0.4	14,41
1968	994	6.9	9431	65.5	3377	23.5	510	3.5	10	0.1	78	0.5	14,40
1969	1011	7.1	8894	62.8	3733	26.4	444	3.1	7	0.1	77	0.5	14,16
1970	1080	7.9	8003	58.2	3997	29.1	454	3.3	45	0.3	167	1.2	13,74
1971	1159	8.7	7220	54.4	4314	32.5	431	3.3	18	0.1	128	1.0	13,27
1971													
Teachers	28	4.6	492	80.2	73	11.9	17	2.8	0	---	3	0.5	61
Administrators	2	8.7	18	78.3	3	13.0	0	---	0	---	0	---	2
Other Prof.[b]	2	3.5	46	79.3	10	17.2	0	---	0	---	0	---	5
ROOSEVELT SCHOOL FOR HANDICAPPED[c]													
Pupils - 1966	8	5.1	93	58.9	50	31.6	4	2.5	0	---	3	1.9	15
1967	11	7.0	89	56.7	51	32.5	5	3.2	0	---	1	0.6	15
1968	11	7.1	89	57.0	50	32.0	6	3.9	0	---	0	---	15
1969	13	8.0	98	60.5	47	29.0	4	2.5	0	---	0	---	16
1970	21	12.4	95	56.2	46	27.2	6	3.6	0	---	1	0.6	16
1971	21	11.5	99	54.1	58	31.7	4	2.2	0	---	1	0.5	18
1971													
Teachers	1	5.6	16	88.8	1	5.6	0	---	0	---	0	---	1
Administrators	0	---	1	100.0	0	---	0	---	0	---	0	---	

[a] Roosevelt School, Home Teaching and Five Acres not included.
[b] Abbreviation for Professional Staff.
[c] Includes Home Teaching students.

NOTE: Includes employees who are employed 75% time or more.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 8, 1971

SUMMARY (continued)	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
FIVE ACRES[a]													
Pupils - 1971	2	16.6	5	41.7	5	41.7	0	---	0	---	0	---	12
Teachers	0	---	1	100.0	0	---	0	---	0	---	0	---	1
ED. CENTER													
Pupils													
P.S. 1967[b]	10	5.3	10	5.3	167	88.4	2	1.0	0	---	0	---	189
1968[b]	17	8.1	19	9.1	171	81.8	0	---	0	---	2	1.0	209
1971[c]	39	17.5	22	9.9	157	70.7	2	0.9	1	0.5	1	0.5	222
Professional Staff at Ed. Center, 1971[d]	0	---	42	77.8	12	22.2	0	---	0	---	0	---	54
DISTRICT TOTAL													
Pupils - 1966	2048	6.4	20,958	65.6	7677	24.0	966	3.0	12	---	316	1.0	31,977
1967[b]	2168	6.8	20,049	63.1	8420	26.5	956	3.0	20	0.1	167	0.5	31,780
1968[b]	2422	7.7	19,008	60.4	8872	28.2	935	2.9	28	0.1	219	0.7	31,484
1969	2521	8.2	17,859	58.3	9173	30.0	824	2.7	32	0.1	213	0.7	30,622
1970	2666	9.2	15,647	53.7	9564	32.8	849	2.9	73	0.3	324	1.1	29,123
1971[c]	2840	10.3	13,848	50.3	9774	35.5	801	2.9	47	0.2	237	0.8	27,547
Teachers, Classroom 1971	40	3.3	949	78.0	182	15.0	32	2.6	3	0.3	10	0.8	1,216
Administrators at Schools - 1971	3	5.3	47	82.4	7	12.3	0	---	0	---	0	---	57
Other Prof. Staff at Schools - 1971	2	3.2	49	77.8	12	19.0	0	---	0	---	0	---	63
Prof. Staff at Ed. Center 1971[d]	0	---	42	77.8	12	22.2	0	---	0	---	0	---	54

[a] Students were included at Audubon Primary School for previous years.
[b] P.S. - Preschool reported for 1967 and 1968 and included in the district Total.
[c] Preschool reported to the State Department as instructed but not included in district total for this report.
[d] Professional Staff at Education Center includes certificated personnel who work directly with students but are not assigned to any one school: reading teacher specialists, psychologists, Special Education teachers, consultants, etc.

BEST COPY AVAILABLE

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 8, 1971

PRIMARY K-3	Spanish Surname		Anglo-Caucasian[1]		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
ALLENDALE													
Pupils - 1970	38	9.0	179	42.1	181	42.6	26	6.1	1	0.2	0	---	425
1971	32	8.4	157	41.1	161	42.1	29	7.6	0	---	3	0.8	382
Teachers	0		11		3		1		0		0		15
Administrators	0		1		0		0		0		0		1
AUDUBON													
Pupils - 1970	27	4.7	293	51.2	227	39.7	20	3.5	1	0.2	4	0.7	572
1971	42	7.7	261	48.0	219	40.2	19	3.5	2	0.4	1	0.2	544
Teachers	0		16		3		2		0		0		21
Administrators	1		0		0		0		0		0		1
Other Prof.	0		1		0		0		0		0		1
BURBANK													
Pupils - 1970	26	4.6	328	57.8	204	36.0	9	1.6	0	---	0	---	567
1971	35	6.8	244	47.5	227	44.1	6	1.2	1	0.2	1	0.2	514
Teachers	0		15		2		2		0		1		20
Administrators	0		1		0		0		0		0		1
DON BENITO													
Pupils - 1970	43	6.1	337	48.1	310	44.2	9	1.3	0	---	2	0.3	701
1971	34	5.3	308	47.8	291	45.2	8	1.2	0	---	3	0.5	644
Teachers	1		19		4		1		0		1		26
Administrators	0		1		0		0		0		0		1
FRANKLIN													
Pupils - 1970	48	8.2	242	41.4	265	45.4	24	4.1	1	0.2	4	0.7	584
1971	58	10.6	201	36.8	270	49.5	16	2.9	0	---	1	0.2	546
Teachers	0		18		6		0		0		0		24
Administrators	0		0		1		0		0		0		1
GARFIELD-ARROYO													
Pupils - 1970	80	30.5	122	46.6	56	21.4	3	1.1	0	---	1	0.4	262
1971	102	36.2	128	45.4	40	14.2	3	1.0	2	0.7	7	2.5	282
Teachers	1		9		3		0		0		0		13
Administrators	0		0		1		0		0		0		1

[1] The State reports use Other White to describe this category.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 8, 1971

PRIMARY K-3 (continued)	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
HAMILTON													
Pupils - 1970	102	18.5	269	48.9	161	29.3	6	1.1	3	0.6	9	1.6	550
1971	89	15.1	251	42.5	223	37.7	12	2.0	4	0.7	12	2.0	591
Teachers	1		16		3		0		1		0		21
Administrators	0		1		0		0		0		0		1
JEFFERSON													
Pupils - 1970	238	25.3	403	42.9	249	26.5	28	3.0	7	0.7	15	1.6	940
1971	279	30.6	362	39.7	211	23.2	27	3.0	8	0.9	24	2.6	911
Teachers	1		31		6		0		0		0		38
Administrators	0		2		0		0		0		0		2
LINDA VISTA													
Pupils - 1970	2	1.1	102	58.3	57	32.6	13	7.4	0	---	1	0.6	175
1971	5	3.5	94	66.7	30	21.3	12	8.5	0	---	0	---	141
Teachers	0		6		1		0		0		0		7
Administrators	0		1		0		0		0		0		1
McKINLEY													
Pupils - 1970	50	21.6	119	51.5	48	20.8	11	4.8	1	0.4	2	0.9	231
1971	56	23.4	98	41.0	71	29.7	12	5.0	0	---	2	0.9	239
Teachers	0		8		2		0		0		0		10
Administrators	0		0		0		0		0		0		0*
NOYES													
Pupils - 1970	24	5.1	245	51.6	187	39.4	14	2.9	0	---	5	1.0	475
1971	18	4.4	201	49.2	175	42.8	14	3.4	0	---	1	0.2	409
Teachers	0		11		5		0		0		0		16
Administrators	0		1		0		0		0		0		1
SAN RAFAEL													
Pupils - 1970	14	4.4	169	53.7	119	37.8	8	2.5	0	---	5	1.6	315
1971	15	4.7	157	49.7	134	42.4	10	3.2	0	---	0	---	316
Teachers	1		14		2		2		0		0		19
Administrators	0		0		1		0		0		0		1

*Principal at Linda Vista Primary School has administrative responsibilities for McKinley Primary School.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 8, 1971

PRIMARY K-3 (continued)	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
SIERRA MADRE													
Pupils - 1970	46	8.0	305	53.0	200	34.8	12	2.1	0	---	12	2.1	575
1971	43	9.1	243	51.6	170	36.1	12	2.6	0	---	3	0.6	471
Teachers	0		15		1		1		0		1		18
Administrators	0		1		0		0		0		0		1
SIERRA MESA													
Pupils - 1970	17	3.6	242	50.7	206	43.2	11	2.3	0	---	1	0.2	477
1971	20	4.5	222	50.4	192	43.5	6	1.4	0	---	1	0.2	441
Teachers	0		14		2		1		0		0		17
Administrators	0		1		0		0		0		0		1
WEBSTER													
Pupils - 1970	55	6.5	452	53.8	277	32.9	15	1.8	1	0.1	41	4.9	841
1971	55	7.6	415	57.1	236	32.5	17	2.3	0	---	4	0.5	727
Teachers	0		28		3		1		0		1		33
Administrators	0		2		0		0		0		0		2
WILLARD													
Pupils - 1970	121	12.9	440	46.8	358	38.0	14	1.5	0	---	8	0.8	941
1971	136	16.3	386	46.2	299	35.8	12	1.4	2	0.2	1	0.1	836
Teachers	1		31		8		0		0		0		40
Administrators	0		2		0		0		0		0		2
PRIMARY TOTAL[a]													
Pupils - 1970	931	10.8	4247	49.2	3105	36.0	223	2.6	15	0.1	110	1.3	8,631
1971	1019	12.8	3728	46.6	2949	36.9	215	2.7	19	0.2	64	0.8	7,994
Teachers	6		262		54		11		1		4		338
Administrators	1		14		3		0		0		0		18
Other Prof.	0		1		0		0		0		0		1

[a]Roosevelt School, Home Teaching and Five Acres not included.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 8, 1971

ELEMENTARY 4-6	Spanish Surname No.	Per Cent	Anglo-Caucasian No.	Per Cent	Negro No.	Per Cent	Chinese, Japanese, Korean No.	Per Cent	American Indian No.	Per Cent	Other Nonwhite No.	Per Cent	TOTAL No.
ALTADENA													
Pupils - 1970	57	8.3	342	50.0	265	38.7	14	2.1	2	0.3	4	0.6	684
1971	61	9.8	288	46.0	260	41.5	12	1.9	3	0.5	2	0.3	626
Teachers	0		18		5		1		0		0		24
Administrators	0		2		0		0		0		0		2
CLEVELAND													
Pupils - 1970	14	3.4	214	52.3	169	41.3	11	2.7	0	---	1	0.3	409
1971	12	3.4	173	48.6	159	44.7	10	2.8	0	---	2	0.5	356
Teachers	0		12		3		1		0		1		17
Administrators	0		1		0		0		0		0		1
EDISON													
Pupils - 1970	20	4.5	230	51.6	175	39.2	19	4.3	0	---	2	0.4	446
1971	21	5.1	195	46.9	177	42.5	18	4.3	0	---	5	1.2	416
Teachers	0		13		2		0		0		1		16
Administrators	0		1		0		0		0		0		1
FIELD													
Pupils - 1970	31	5.5	318	56.4	201	35.6	13	2.3	0	---	1	0.2	564
1971	45	8.3	300	55.1	186	34.2	12	2.2	0	---	1	0.2	544
Teachers	0		17		4		0		2		0		23
Administrators	0		1		0		0		0		0		1
HALE													
Pupils - 1970	51	9.6	310	58.3	152	28.6	13	2.3	3	0.6	3	0.6	532
1971	68	12.9	233	44.3	203	38.6	13	2.5	2	0.4	7	1.3	526
Teachers	1		15		6		0		0		0		22
Administrators	0		1		0		0		0		0		1
JACKSON													
Pupils - 1970	106	15.6	308	45.3	219	32.2	35	5.2	3	0.4	9	1.3	680
1971	95	16.4	243	42.0	199	34.4	35	6.0	1	0.2	6	1.0	579
Teachers	1		16		5		0		0		0		22
Administrators	0		1		0		0		0		0		1

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 8, 1971

ELEMENTARY 4-6 (continued)	Spanish Surname No.	Per Cent	Anglo-Caucasian No.	Per Cent	Negro No.	Per Cent	Chinese, Japanese, Korean No.	Per Cent	American Indian No.	Per Cent	Other Nonwhite No.	Per Cent	TOTAL No.
LINCOLN													
Pupils - 1970	77	14.8	214	41.0	222	42.5	7	1.3	0	---	2	0.4	522
1971	59	14.7	157	39.0	177	43.9	5	1.2	0	---	5	1.2	403
Teachers	0		15		5		1		0		0		21
Administrators	0		1		0		0		0		0		1
Other Prof.	0		0		2		0		0		0		2
LOMA ALTA													
Pupils - 1970	27	4.3	318	50.7	268	42.8	12	1.9	0	---	2	0.3	627
1971	31	5.1	252	41.1	318	51.9	10	1.6	0	---	2	0.3	613
Teachers	1		15		6		0		0		0		22
Administrators	0		1		0		0		0		0		1
Other Prof.	0		1		0		0		0		0		1
LONGFELLOW													
Pupils - 1970	91	11.5	411	52.0	255	32.3	25	3.2	3	0.4	5	0.6	790
1971	84	11.6	357	49.4	262	36.2	16	2.2	2	0.3	2	0.3	723
Teachers	1		23		5		0		0		0		29
Administrators	0		1		1		0		0		0		2
MADISON													
Pupils - 1970	149	22.1	298	44.3	199	29.6	9	1.3	2	0.3	16	2.4	673
1971	147	22.7	266	41.2	209	32.3	12	1.9	0	---	12	1.9	646
Teachers	1		17		7		0		0		1		26
Administrators	0		2		0		0		0		0		2
WASHINGTON													
Pupils - 1970	11	1.7	339	52.2	291	44.8	8	1.2	0	---	1	0.1	650
1971	16	2.5	332	50.6	298	45.4	8	1.2	2	0.3	0	---	656
Teachers	0		17		6		1		0		0		24
Administrators	0		2		0		0		0		0		2
Other Prof.	0		1		0		0		0		0		1
ELEMENTARY[a] TOTAL													
Pupils - 1970	634	9.7	3302	50.2	2416	36.7	166	2.5	13	0.2	46	0.7	6,577
1971	639	10.5	2796	45.9	2448	40.2	151	2.5	10	0.2	44	0.7	6,088
Teachers	5		178		54		4		2		3		23
Administrators	0		14		1		0		0		0		1
Other Prof.	0		2		2		0		0		0		445

[a]Roosevelt School, Home Teaching and Five Acres not included.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 8, 1971

JUNIOR HIGH Grades 7 & 8	Spanish Surname No.	Spanish Surname Per Cent	Anglo-Caucasian No.	Anglo-Caucasian Per Cent	Negro No.	Negro Per Cent	Chinese, Japanese, Korean No.	Chinese, Japanese, Korean Per Cent	American Indian No.	American Indian Per Cent	Other Nonwhite No.	Other Nonwhite Per Cent	TOTAL No.
ELIOT													
Pupils - 1970	76	6.0	688	54.9	449	35.8	20	1.6	6	0.5	15	1.2	1,254
1971	67	5.9	569	50.2	466	41.1	25	2.2	2	0.2	5	0.4	1,134
Teachers	1		41		9		2		0		1		54
Administrators	1		1		0		0		0		0		2
Other Prof.	0		4		0		0		0		0		4
McKINLEY													
Pupils - 1970	136	11.3	643	53.4	344	28.6	59	4.9	6	0.5	16	1.3	1,204
1971	129	11.5	561	49.8	365	32.4	45	4.0	0	---	26	2.3	1,126
Teachers	2		40		6		2		0		1		51
Administrators	0		2		0		0		0		0		2
Other Prof.	0		3		1		0		0		0		4
WASHINGTON													
Pupils - 1970	38	4.3	460	52.5	336	38.3	26	3.0	3	0.3	14	1.6	877
1971	33	4.0	414	49.6	360	43.1	16	1.9	1	0.1	11	1.3	835
Teachers	0		28		13		1		0		0		42
Administrators	0		1		1		0		0		0		2
Other Prof.	0		3		0		0		0		0		3
WILSON													
Pupils - 1970	131	11.2	663	56.8	335	28.7	28	2.4	1	0.1	10	0.8	1,168
1971	160	14.6	567	51.8	331	30.2	25	2.3	2	0.2	10	0.9	1,095
Teachers	1		40		7		2		0		0		50
Administrators	0		2		0		0		0		0		2
Other Prof.	0		2		2		0		0		0		4
INTERMEDIATE OPPORTUNITY SCH.													
Pupils - 1970	3	10.7	12	42.9	13	46.4	0	---	0	---	0	---	28
1971	4	7.7	16	30.8	25	48.1	0	---	2	3.8	5	9.6	52
Teachers	0		2		1		0		0		0		
Administrators	0		1		0		0		0		0		
Other Prof.	0		0		0		0		0		0		
JUNIOR HIGH[a] TOTAL 7 & 8													
Pupils - 1970	384	8.5	2466	54.4	1477	32.6	133	2.9	16	0.4	55	1.2	4,53
1971	393	9.3	2127	50.1	1547	36.5	111	2.6	7	0.2	57	1.3	4,24
Teachers	4		151		36		7		0		2		20
Administrators	1		7		1		0		0		0		2
Other Prof.	0		12		3		0		0		0		15

[a]Roosevelt School and Home Teaching not included.

RACIAL AND ETHNIC DISTRIBUTION OF ENROLLMENT - OCTOBER 8, 1971

SENIOR HIGH Grades 9-12	Spanish Surname No.	Spanish Surname Per Cent	Anglo-Caucasian No.	Anglo-Caucasian Per Cent	Negro No.	Negro Per Cent	Chinese, Japanese, Korean No.	Chinese, Japanese, Korean Per Cent	American Indian No.	American Indian Per Cent	Other Nonwhite No.	Other Nonwhite Per Cent	TOT
BLAIR HIGH													
Pupils - 1970	222	12.3	1044	57.9	437	24.2	77	4.3	5	0.3	19	1.0	1,8
1971	217	12.5	1027	59.4	399	23.1	73	4.2	1	0.1	13	0.7	1,7
Teachers	4		68		6		3		0		0		
Administrators	0		4		0		0		0		0		
Other Prof.	0		8		2		0		0		0		
MUIR HIGH													
Pupils - 1970	162	5.7	1420	50.2	1039	36.7	176	6.2	1	0.0	33	1.2	2,8
1971	132	5.0	1325	49.9	1019	38.3	163	6.1	1	0.0	18	0.7	2,6
Teachers	8		101		12		3		0		0		
Administrators	1		2		1		0		0		0		
Other Prof.	1		10		3		0		0		0		
PASADENA HIGH													
Pupils - 1970	306	6.9	2987	67.1	1010	22.7	68	1.5	23	0.5	59	1.3	4,4
1971	379	9.0	2506	59.3	1213	28.7	82	1.9	8	0.2	40	0.9	4,2
Teachers	10		158		19		4		0		1		
Administrators	0		3		1		0		0		0		
Other Prof.	1		15		2		0		0		0		
EVENING HIGH													
Pupils - 1971	4	8.3	42	87.5	2	4.2	0	---	0	---	0	---	
Teachers[a]	0		0		0		0		0		0		
Other Prof.	0		1		0		0		0		0		
FOOTHILL HIGH													
Pupils - 1970	6	4.7	86	67.7	34	26.8	0	---	0	---	1	0.8	
1971	34	9.3	193	53.0	134	36.8	2	0.6	1	0.3	0	---	
Teachers	2		14		0		0		0		0		
Administrators	0		2		0		0		0		0		
Other Prof.	0		0		0		0		0		0		
SENIOR HIGH[b] TOTAL 9-12													
Pupils - 1970	696	7.6	5537	60.1	2520	27.3	321	3.5	29	0.3	112	1.2	9,2
1971	766	8.5	5093	56.4	2767	30.7	320	3.5	11	0.1	71	0.8	9,0
Teachers	24		341		37		10		0		1		
Administrators	1		11		2		0		0		0		
Other Prof.	2		34		7		0		0		0		

[a]Evening High School was opened October 4 and planning and counseling took place until the regular classes were started on October 18, 1971.

[b]Roosevelt School and Home Teaching not included.

011272 PRD - PFH:AH:lg

DISTRICT SUMMARY OF
RACIAL AND ETHNIC DISTRIBUTION OF CERTIFICATED EMPLOYEES

SUMMARY	Spanish Surname		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
ALL PRIMARY & ELEMENTARY SCHOOLS K-6[a]													
Teachers													
1966	7	1.1	544	84.6	78	12.1	14	2.2	0	--	0	--	643
1967	5	0.8	523	86.3	67	11.1	11	1.8	0	--	0	--	606
1968	3	0.5	465	84.1	74	13.4	11	2.0	0	--	0	--	553
1969	7	1.3	463	82.7	78	13.9	9	1.6	0	--	3	0.5	560
1970	10	1.6	498	79.6	99	15.8	13	2.1	1	0.1	5	0.8	626[b]
1971	11	1.9	440	75.3	108	18.5	15	2.6	3	0.5	7	1.2	584
Administrators													
1966	0	--	31	91.2	3	8.8	0	--	0	--	0	--	34
1967	0	--	30	91.0	3	9.0	0	--	0	--	0	--	33
1968	1	3.0	30	90.9	2	6.1	0	--	0	--	0	--	33
1969	1	3.0	30	90.9	2	6.1	0	--	0	--	0	--	33
1970	1	3.0	29	87.9	3	9.1	0	--	0	--	0	--	33
1971	1	3.0	28	84.9	4	12.1	0	--	0	--	0	--	33
Other Prof.[c]													
1966	1	5.9	15	88.2	1	5.9	0	--	0	--	0	--	17
1967	1	3.6	26	92.8	1	3.6	0	--	0	--	0	--	28
1968	2	4.0	38	76.0	10	20.0	0	--	0	--	0	--	50
1969	1	2.6	28	73.7	9	23.7	0	--	0	--	0	--	38
1970	0	--	0	--	0	--	0	--	0	--	0	--	0[b]
1971	0	--	3	60.0	2	40.0	0	--	0	--	0	--	5
ALL JR. & SR. HIGH SCHOOLS 7-12[a]													
Teachers													
1966	12	1.9	590	92.0	34	5.3	4	0.6	0	--	1	0.2	641
1967	12	1.9	579	91.6	37	5.9	4	0.6	0	--	0	--	632
1968	9	1.4	565	90.6	46	7.4	4	0.6	0	--	0	--	624
1969	11	2.0	490	89.4	38	6.9	7	1.3	0	--	2	0.4	548
1970	32	5.3	495	82.1	61	10.1	11	1.8	1	0.2	3	0.5	603
1971	28	4.6	492	80.2	73	11.9	17	2.8	0	--	3	0.5	613
Administrators													
1966	1	3.7	25	92.6	1	3.7	0	--	0	--	0	--	27
1967	1	3.7	25	92.6	1	3.7	0	--	0	--	0	--	27
1968	1	3.5	25	86.2	3	10.3	0	--	0	--	0	--	29
1969	2	7.7	21	80.8	3	11.5	0	--	0	--	0	--	26
1970	3	13.0	18	78.3	2	8.7	0	--	0	--	0	--	23
1971	2	8.7	18	78.3	3	13.0	0	--	0	--	0	--	23

For footnotes, see page 13.

DISTRICT SUMMARY OF
RACIAL AND ETHNIC DISTRIBUTION OF CERTIFICATED EMPLOYEES

SUMMARY (continued)	Surname Spanish		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOTAL
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
Other Prof.[c]													
1966	2	3.0	57	85.1	7	10.4	1	1.5	0	--	0	--	67
1967	1	1.4	62	89.9	6	8.7	0	--	0	--	0	--	69
1968	1	1.7	47	81.1	9	15.5	1	1.7	0	--	0	--	58
1969	0	--	52	86.7	8	13.3	0	--	0	--	0	--	60
1970	2	3.2	46	73.0	15	23.8	0	--	0	--	0	--	63
1971	2	3.5	46	79.3	10	17.2	0	--	0	--	0	--	58
ROOSEVELT SCHOOL FOR HANDICAPPED													
Teachers													
1966	0	--	14	100.0	0	--	0	--	0	--	0	--	14
1967	0	--	14	100.0	0	--	0	--	0	--	0	--	14
1968	0	--	14	100.0	0	--	0	--	0	--	0	--	14
1969	0	--	15	100.0	0	--	0	--	0	--	0	--	15
1970	1	6.2	14	87.6	1	6.2	0	--	0	--	0	--	16
1971	1	5.6	16	88.8	1	5.6	0	--	0	--	0	--	18
Administrators													
1966	0	--	1	100.0	0	--	0	--	0	--	0	--	1
1967	0	--	1	100.0	0	--	0	--	0	--	0	--	1
1968	0	--	1	100.0	0	--	0	--	0	--	0	--	1
1969	0	--	1	100.0	0	--	0	--	0	--	0	--	1
1970	0	--	1	100.0	0	--	0	--	0	--	0	--	1
1971	0	--	1	100.0	0	--	0	--	0	--	0	--	1
Other Prof.													
1967	0	--	1	100.0	0	--	0	--	0	--	0	--	1
1968	0	--	1	100.0	0	--	0	--	0	--	0	--	1
FIVE ACRES													
Teacher 1971	0	--	1	100.0	0	--	0	--	0	--	0	--	1
ED. CENTER													
Professional Staff at Ed. Center[d]													
1966	1	1.0	90	91.8	7	7.2	0	--	0	--	0	--	98
1967	2	2.3	78	91.8	5	5.9	0	--	0	--	0	--	85
1968	2	2.7	60	81.1	12	16.2	0	--	0	--	0	--	74
1969	1	2.3	37	86.1	5	11.6	0	--	0	--	0	--	43
1970	1	1.7	54	90.0	5	8.3	0	--	0	--	0	--	60
1971	0	--	42	77.8	12	22.2	0	--	0	--	0	--	54

For footnotes, see page 13.

DISTRICT SUMMARY OF
RACIAL AND ETHNIC DISTRIBUTION OF CERTIFICATED EMPLOYEES

SUMMARY (continued)	Surname Spanish		Anglo-Caucasian		Negro		Chinese, Japanese, Korean		American Indian		Other Nonwhite		TOT
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.
DISTRICT TOTAL													
Classroom Teachers													
1966	19	1.5	1148	88.4	112	8.6	18	1.4	0	--	1	0.1	129
1967	17	1.4	1116	89.1	104	8.3	15	1.2	0	--	0	--	125
1968	12	1.0	1044	87.7	120	10.1	15	1.2	0	--	0	--	119
1969	18	1.6	968	86.2	116	10.3	16	1.4	0	--	5	0.5	112
1970	43	3.5	1007	80.9	161	12.9	24	1.9	2	0.2	8	0.6	124
1971	40	3.3	949	78.0	182	15.0	32	2.6	3	0.3	10	0.8	121
Administrators at Schools													
1966	1	1.6	57	91.9	4	6.5	0	--	0	--	0	--	6
1967	1	1.6	56	91.8	4	6.6	0	--	0	--	0	--	6
1968	2	3.2	56	88.9	5	7.9	0	--	0	--	0	--	6
1969	3	5.0	52	86.7	5	8.3	0	--	0	--	0	--	6
1970	4	7.0	48	84.2	5	8.8	0	--	0	--	0	--	5
1971	3	5.3	47	82.4	7	12.3	0	--	0	--	0	--	5
Other Prof. Staff at Schools													
1966	3	3.6	72	85.7	8	9.5	1	1.2	0	--	0	--	8
1967	2	2.0	89	90.8	7	7.2	0	--	0	--	0	--	9
1968	3	2.8	86	78.9	19	17.4	1	0.9	0	--	0	--	10
1969	1	1.0	80	81.6	17	17.4	0	--	0	--	0	--	9
1970	2	3.2	46	73.0	15	23.8	0	--	0	--	0	--	6
1971	2	3.2	49	77.8	12	19.0	0	--	0	--	0	--	6
Prof. Staff at Ed. Center													
1966	1	1.0	90	91.8	7	7.2	0	--	0	--	0	--	9
1967	2	2.3	78	91.8	5	5.9	0	--	0	--	0	--	8
1968	2	2.7	60	81.1	12	16.2	0	--	0	--	0	--	7
1969	1	2.3	37	86.1	5	11.6	0	--	0	--	0	--	4
1970	1	1.7	54	90.0	5	8.3	0	--	0	--	0	--	6
1971	0	--	42	77.8	12	22.2	0	--	0	--	0	--	5

BEST COPY AVAILABLE

For footnotes, see page 13.

FOOTNOTES FOR DISTRICT SUMMARY

[a] Roosevelt School and Five Acres, since 1971, not included. Five Acres certificated personnel has been included with Audubon School previous to 1971.

[b] The 1970 Report to HEW required that 60 Special Teachers (Miller-Unruh, Opportunity, Special Reading, etc.) be reported with *Classroom Teachers* which accounts for much of the increase in Classroom Teachers over the number in 1969. These *Special Teachers* were reported with *Other Profesional Staff* in 1969. The relatively smaller number of Classroom Teachers in 1969 was caused by two factors: cutting high school from six to five periods in 1969-70 and cutting back on the number of kindergarten teachers in 1968-69 and 1969-70.

[c] Abbreviation for Professional Staff.

[d] Professional Staff at Education Center includes certificated personnel who work directly with students but are not assigned to any one school: reading teacher specialists, psychologists, Special Education teachers, consultants, etc.

OPINION AND ORDER OF THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.

Entered 15 May 1974.

Defendant, Pasadena City Board of Education (hereafter Board)[1] now moves the court for:

1. Relief from this Court's order of January 23, 1970, for the desegregation of Pasadena schools and the Court's order of March 10, 1970, approving the plan of desegregation submitted by defendants (hereafter Pasadena Plan);

2. Dissolution of the injunction that there be no school with a majority of any minority, under which the Board is presently operating;

3. Termination of the Court's continuing jurisdiction;

4. Alternatively, for modification of the Pasadena Plan approved March 10, 1970.

1. *Modification of the Pasadena Plan and Relief from the Order of January 23, 1970.*

In January, 1970, this Court found racial imbalance or segregation of student bodies and faculties in the Pasadena Unified School District resulting from the Board's actions and inactions in execution of an announced dedication to the neighborhood school concept of education and its opposition to forced cross-town busing. 311 F. Supp. 501 (D. C. Cal. 1970).

1. The Board at the time of the Court's January, 1970, order was composed of Mrs. La Verne La Motte, Messrs. Albert C. Lowe, D. Joseph Engholm, Bradford C. Houser and John T. Welsh.

At the time of this hearing, the Board consisted of Messrs. Henry Marcheschi (elected in 1971), Samuel Sheats (appointed in 1971), Lymon W. Newton (elected in 1973) and Drs. Henry Myers and Richard Vetterli (both elected in 1973).

While no appeal was taken from that ruling, it was, to say the very least, not received with unanimous approbation. Indeed, according to the Board's position in the proceeding at bar, this Court's ruling in 1970 is the sole and proximate cause of "white flight" from Pasadena schools and is, in addition, a barrier to achieving the excellence of educational opportunity which the Board now proposes to accomplish by means of its requested substituted plan, known as The Integrated Zone/Educational Alternatives Plan: A Proposed Modification to the "Pasadena Plan" (hereafter Alternative Plan).[2]

The posture of the Board in 1970 notwithstanding, opposition to the Pasadena Plan came early. The plan had not yet been approved when on March 2, 1970, a Motion for Leave to Intervene to oppose and appeal the judgment of this Court was filed, led by Mr. Bradford C. Houser. This motion was heard and denied by this Court on March 4, 1970. Appeal was taken of this ruling to the Court of Appeals for the Ninth Circuit, which affirmed the ruling of this Court. *Spangler* v. *Pasadena City Board of Education*, 422 F. 2d 1352, cert. denied 402 U. S. 943.

Only temporarily rebuffed, those who were determined that the Pasadena Plan would not succeed carried on their crusade. In April of 1970[3] a recall campaign against the three members of the Board who had voted against appeal of this Court's judgment[4] was commenced. With the pledge to "*STOP* FORCED BUSING", Frank C. Crowhurst, Richard W. Millar, Jr., and Henry Marcheschi[5] unsuccessfully attempted to unseat Mrs. La Motte, Mr. Lowe and Dr. Engholm in the recall election of October 13, 1970.

2. Appendix A to this opinion.

3. Five months before the Pasadena Plan was to be implemented.

4. Mrs. La Verne La Motte, Albert C. Lowe and Joseph Engholm.

5. Mr. Marcheschi is presently president of the Board of Education of the Pasadena Unified School District.

Implementation of the Pasadena Plan was accomplished with the commencement of the 1970-71 academic year in September of 1970. However, compliance was literal for only the first academic year; for, starting with the 1971-72 academic year, black student enrollment at the Loma Alta School exceeded 50 percent of the school's total enrollment. By October of the 1972-73 academic year, four schools (Edison, Franklin, Loma Alta and Sierra Mesa) had black student enrollments of more than 50 per cent of the total student body. In the 1973-74 academic year, Eliot Junior High was added to the list of non conformance; so, at the time of hearing of this matter in March of 1974, five Pasadena schools were and remain in violation of the no majority of any minority injunction of this Court's January, 1970, ruling.

The Board through the testimony of Dr. Robert Dillworth informs the Court that white enrollment relative to total enrollment in Pasadena schools has been precipitously in decline since 1970 due entirely to this Court's desegregation order. The Court rejects this conclusion relative to causation since Dr. Dillworth, admittedly, made no inquiry of anyone as to the reasons for: (1) white or black students moving from Pasadena or (2) white or black student withdrawal from the Pasadena Unified School District. He makes a statistical "guess" as to the cause of "white flight" on the basis that, statistically, it is unnecessary to ask the motivations behind the actions of people. When faced with a direct question, however, he finally admitted to the Court that he could not say "why" students, white or black, left the Pasadena Unified School District. It is of further significance that Pasadena's experience is not unique; for the trends evidenced in Pasadena closely approximate the state-wide trends in California schools, both segregated and desegregated, since 1966.

Achievement of the desegregation proposed by the Pasadena Plan provided for division of the traditional elementary school[6]

6. The Alternative Plan reaches only Kindergarten through Grade 6 schools.

into primary (K-3) and upper grade (4-6) schools for two reasons:

> 1. ". . . Students will walk to a nearby school for part of their elementary schooling and be transported with students in their neighborhoods to another school to provide ethnic balance.[7]
>
> 2. ". . . reorganization of elementary schools into primary schools (K-3) and upper schools (4-6) will provide specialization which is important to guarantee improvement in basic skills."[8]

The Alternative Plan would return to the K-6 organization of elementary education in order to "provide a sufficient number of school sites within each zone from which parents can choose the type of education most appropriate for each of their children." Howsoever denominated, the Alternative Plan is a "freedom of choice" plan that must overcome, if implemented, a large number[9] of predictably racially imbalanced schools.

The freedom of choice offered by the Alternative Plan is not new either to the law or to Pasadena. The Supreme Court in *Green* v. *County School Board of New Kent County, Virginia* (1968) 391 U. S. 430, 20 L. Ed. 2d 716, 88 S. Ct. 1689 warns us:

> ". . . in documenting a dual system a plan utilizing 'freedom of choice' is not an end in itself. As Judge Sobeloff has put it,
>
> ' "Freedom of choice" is not a sacred talisman; it is only a means to a constitutionally required end—the abolition of the system of segregation and its effects. If the means prove effective, it is acceptable, but if it fails to undo segregation, other means must be used to achieve this end. The school officials have a continuing duty to take whatever action may be necessary to create a "unitary, nonracial system." ' " *Id.* at 440.

7. Defendants' Exhibit A, page 4.

8. Defendants' Exhibit A, page 5.

9. Initially, at least eight schools—Audubon, Cleveland, Edison, Franklin, Jackson, Lincoln, Madison and Washington—would have over 60 per cent black enrollment.

The facts of *Green, supra,* may not exactly parallel what this Court found in Pasadena in 1970 or what evidently exists in Pasadena in 1974; but the message of *Green, supra,* is clear. Before any Court can stamp its imprimatur to a proposed "freedom of choice" plan of desegregation—or of continuing desegregation—it must be satisfied that freedom of choice is a viable alternative to a plan which can guarantee that no school in a once-segregated[10] school district shall be permitted to have an enrollment with a majority of any minority.[11]

Pasadena has previously failed to desegregate its schools by freedom of choice plans, *Spangler, supra,* at page 510; and efforts by other California school districts[12] laboring under freedom of choice plans have been less than spectacularly successful in achieving any meaningful desegregation of their respective schools.

What the Alternative Plan and its advocates—four of the present five Board members[13]—offer is the hope that "establishment of unique educational alternatives at each K-6 school site" and "salesmanship" will convince enough "white parents" whose

10. There appears to be, in logic, no distinction between de jure and de facto segregation for our purposes. "De jure" and "de facto" are only adjectives that give some attempted "legal" distinction to the aims of *Brown* v. *Board of Education I,* 347 U. S. 483, 74 S. Ct. 686, 98 L. Ed. 873 (1954), and *Brown* v. *Board of Education II,* 349 U. S. 294, 75 S. Ct. 753, 99 L. Ed. 1083 (1955) that *"segregation"* denies equal educational opportunity. *See also, Keyes* v. *School District Number One,* 413 U. S. 189, 37 L. Ed. 2d 548, 93 S. Ct. 2636 (1975), Mr. Justice Powell, *concurring and dissenting.*

11. The Court recognizes that conceivable circumstances exist in which that mandate could not reasonably be met. Pasadena, however, does not present such a circumstance at this time.

12. In San Bernardino, California, a freedom of choice plan attracted only 15 per cent of the Negro student enrollment—no whites participated.

In Richmond, California, a freedom of choice plan conducted over a three-year period had an 11 per cent Negro student participation—no whites participated.

13. Mr. Samuel Sheats, the only black member of the Board, vigorously opposes the Alternative Plan.

children have left the Pasadena Unified School District to return *and choose* the same "educational alternatives" that black parents do in order to accomplish an integrated school system. Hope may spring eternal, but realism exposes the folly of the belief that one who left a school district because his children were forced to attend schools with Negro children would now voluntarily choose that alternative.[14]

There is yet another flaw in the Alternative Plan with its "mini-school" sales pitch. Mini-schools and the "unique educational alternatives" which they offer can be implemented under the Pasadena Plan. This Court does not intend to intimate that the quest for the best possible education to be made available to all the school children of Pasadena is not a laudable motive. It is the mandate of *Brown I, supra,* and *Brown II, supra,* and all the cases decided by the various courts of this land. But, the mandate is equally clear that school boards must do all they can to constitutionally accommodate the rights of minorities wherever they are found to conflict with the desires of the majority to do otherwise. *Alexander* v. *Holmes County Board of Education,* 396 U. S. 19, 24 L. Ed. 2d 19, 90 S. Ct. 29 (1969); *Davis* v. *Board of School Commissioners,* 402 U. S. 33, 28 L. Ed. 2d 577, 91 S. Ct. 1289 (1971); *Wright* v. *City of Emporia,* 407 U. S. 451, 33 L. Ed. 51, 92 S. Ct. 2196 (1971); *Monroe* v. *Board of Commissioners,* 391 U. S. 450, 20 L. Ed 2d 33, 88 S. Ct. 1700 (1968). The evidence has not shown that the educational opportunities presented by the Alternative Plan are equal to, or superior to, those presently available under the Pasadena Plan. If those educators—many within the Pasadena Unified School District itself—who advocate that a multiracial society requires a multiracial educational setting are to be believed, the Pasadena Plan is better suited to that objective than the Alternative Plan.[15]

14. Presumably, these are the same white parents who helped elect Mr. Marcheschi, Dr. Vetterli, Dr. Meyers and Mr. Newton in response to the campaign promise to "Stop Forced Busing."

15. Mr. Ramon C. Cortines, Superintendent of Schools of the Pasadena Unified School District, stating his opinion with candor

The Board urges the Court to abandon the Pasadena Plan because it is not succeeding educationally. The evidence offered in support of the Board's position is neither persuasive nor adequate to measure the educational benefits or inadequacies of the Pasadena Plan. Aside from the contrary evidence introduced by plaintiff-intervenor to show some educational progress, it takes little educational expertise to recognize that the Pasadena Plan has not had the cooperation from the Board that permits a realistic measurement of its educational success or failure.[16] No one can now estimate the possible results of the Pasadena Plan had it enjoyed the continued support of a Board who would act, as they profess, to "do unto others as you would have done unto you."[17] As such, the Board has not met its burden in any way sufficiently enough to have this Court rule upon this issue.

It may, perhaps, belabor the point, but, finally, the evidence shows that as much or more busing would be necessary to accomplish the ends of an integrated school system under the Alternative Plan as is currently required to achieve the same ends under the Pasadena Plan. There is, therefore, none of the fiscal advantage which was presaged by the campaign literature promising "reduced taxes—more education at less cost."

---

and courage in response to a direct inquiry, testified that the Pasadena Plan, though it may need some modifications, was preferable to the Alternative Plan in achieving an educationally sound plan for an integrated school system.

16. This is not the Court's plan. The Pasadena Plan was prepared by dedicated Pasadena educators, aided by the California State Department of Education's Bureau of Intergroup Relations. That their efforts have met such vocal and active resistance may be the whole tragedy of the claims of the present Board relative to its inadequacy.

17. The present Board through the testimony of Mr. Marcheschi asks this Court for the opportunity (three or more years) to prove —by implementation—that the Administrative Plan can succeed. This, the Court would assume, is with the full support of the people of Pasadena.

II. *Dissolution of the Court's Injunction.*

Modification of the injunction of this Court of January 23, 1970, would, in effect, leave the Board to its own devices concerning the Pasadena Plan and its continued viability as a mandate for desegregation. To grant such relief would—in light of the avowed aims of four members of a five-member Board—surely be to sign the death warrant of the Pasadena Plan and its objectives. The law does not permit such an easy abdication of a Court's constitutional responsibility. *Brown* v. *Board of Education II, supra; Raney* v. *Board of Education,* 391 U. S. 430; 20 L. Ed 2d 16, 88 S. Ct. 1600 (1968); *Green* v. *County School Board, supra.* Moreover, the Board's professions of good faith do not serve to alter this result. *Alexander* v. *Holmes County Board of Education, supra.*

III. *Termination of This Court's Continuing Supervision Over the Actions of the Board.*

The reasons set forth in Parts I and II of this opinion make clear the Court's inability to accede to this final request by the Board.

Therefore, the motions of the defendants are denied.

This opinion shall, as provided in Federal Rules of Civil Procedure Rule 52(a) be deemed to be the findings of fact and conclusions of law of the Court in this matter.

May 3, 1974.

/s/ MANUEL L. REAL
United States District Judge.

Exhibit "A".

Pasadena Unified School District

December 18, 1973

THE INTEGRATED ZONE/EDUCATIONAL ALTERNATIVES PLAN A PROPOSED MODIFICATION TO THE "PASADENA PLAN".

Introduction.

Because five of the District's 32 regular schools now have a majority of a minority race and an additional six schools are within a few percentage points of joining this category, certain modifications to the Pasadena Plan are mandatory. The proposed modifications are designed to insure as much continuity with the present form of public education in Pasadena as possible. The overall effect of these modifications will be to allow parents to express more freedom in choosing the location and type of education available to each of their children and to motivate schools to compete for attendance of these children.

Modifications

(1) The first modification involves a return to the elementary system, Kindergarten through Grade 6, thereby discontinuing the current primary (K-3), elementary (4-6) organization. This change is necessary to provide a sufficient number of school sites within each zone from which parents can choose the type of education most appropriate for each of their children.

(2) The second modification involves establishment of unique educational alternatives at each K-6 school site in addition to the ongoing traditional program being taught there. Studies have shown that sufficient excess capacity exists to accomplish this easily. Each unique alternative is to be designed and placed

at a particular school site so that it acts as a "magnet" to draw students from all parts of a zone, thus encouraging integration.

The following are some unique alternatives which, in addition to instruction in the basic skills, can provide existing educational opportunities (see Exhibit A for additional information about each opportunity) for children:

1. *Alternative School Program*—Emphasizes the regular curriculum in an unstructured environment.
2. *Fundamental School Program*—Emphasizes the regular curriculum in a structured environment.
3. *A Fine and Performing Arts Program*—Will emphasize creative experiences in art, music, drama, dance, and literature.
4. *An Animal and Plant Life Program*—Will emphasize first-hand experience with actual raising of crops and animals.
5. *A Daily Newspaper-Based Program*—Will use the daily newspaper as the basis for study in reading, mathematics, social science, science, art, and other areas.
6. *A School in the Community/Career Awareness Program*—Will emphasize direct experiences with institutions and activities in the community as the basis of study.
7. *A Social Science/Science Program*—Will emphasize multi-cultural studies and outdoor, ecology-oriented studies.
8. *A Foreign Language and Cultural Program*—Will emphasize the mastery of a foreign language and the understanding of its cultural setting.
9. *An Early Childhood Education Program*—Will encompass children from four (4) to eight (8) years of age and provide multiple educational experiences that may prepare them for higher achievement in subsequent grades.

The specific, unique alternatives located at each school site will be defined prior to the beginning of the 1974-75 school year.

The existing special schools, including the Fundamental School and the Alternative School, will be maintained and expanded if necessary to act as special District-wide "magnet schools". These schools have already demonstrated their ability to promote integration on a voluntary basis. Additional magnet schools may be added such as a year-round school.

(3) The third modification involves the elimination of specific elementary school attendance boundaries. In their place four racially and ethnically balanced zones, representative of the district as a whole, will be created whose boundaries coincide with the four existing areas on which the present Pasadena Plan is designed. Exhibit B shows the zones, their boundaries, and the schools contained in each zone. Any parent who lives within a zone may choose to send his child to any school within that zone. The school district will provide all required transportation. Thus, all students who are presently enrolled in our schools would be able to continue to attend the school that they now attend if their parents so choose or they would be free to choose from any other school within their zone.

(4) On the basis of providing parents with new options as to the type of education available, the ethnic balance at some sites may be altered from what it is at present. It is, therefore, proposed that if any school's ethnic profile should deviate significantly from the District-wide ethnic profile, that school would be paired with a "sister school" with an opposite ethnic make-up. District transportation would then be provided so that students from both schools would share in special educational programs covering at least one-half a school day per week. These special educational programs will be available to students on an optional basis. Examples may include cooperative art/music programs or programs similar to those alternatives outlined previously. The special programs will be designed to encourage interest and desire to participate.

Unmodified Features of the Pasadena Plan

The four modifications presented apply to the elementary grades (K-6) only. Modifications related to junior high school and senior high school attendance areas present special problems and are now being studied by the school district administrators at the direction of the Board of Education.

Finally, all other features of the present Pasadena Plan including teacher recruitment and assignment, personnel advancement, recruitment and advancement of administrators, etc., are to remain as operating currently.

Conclusion

The proposed modifications are designed to demonstrate affirmative action on the District's part to stimulate integration within each zone without mandatory assignment of students. Further, the proposed modifications will allow parents to choose the type of education they want for each of their children.

The modifications will introduce the element of competition among the schools in each zone for pupil attendance, thereby introducing a critical new element to improve the quality of education in Pasadena schools.

Finally, the modifications are designed to stabilize the ethnic composition of the school district so that meaningful integration can take place.

Every elementary school in the district will provide for each student a program in the basic skills of reading, mathematics, and language arts as well as physical education. Additionally special programs such as, compensatory education (Title I, ESEA) mentally gifted minors (MGM), and others that are now a part of the regular school program will continue.

One of the mini-schools suggested below would be a component within the regular school.

Students would have the opportunity to attend the mini-school for instruction in subjects other than the basic skills based on their interest in that school's alternative emphasis. Students may also receive this instruction in these subjects in the regular program being taught at that school.

For example, a student living near Altadena School has a number of choices. He may attend Altadena's regular school program or its mini-school *or* he can choose the regular school program or any mini-school at any other school within that zone.

The following are brief descriptions of *some* possible mini-schools suggested to date:

1. *Fine and Performing Arts Mini-School* will provide opportunities for students to create music, dance, write and enjoy prose and poetry, as well as original plays. Students will have many opportunities to perform for the public, and to exhibit their work in the community. Extensive involvement of community resources is planned.
2. *Media/Current Events Mini-School* will use daily and weekly newspapers as the basis for study in reading, mathematics, social science, and other areas. The diversity of types of information in each newspaper makes it a good tool for instruction in many areas. Additionally, students will write, setup, and print their own newspaper on a regular basis using the techniques and equipment commonly used in the production of a daily newspaper.
3. *A Foreign Languages and Cultures Mini-School* will emphasize the mastery of a foreign language and the understanding of its cultural setting. Language specialists will give instruction for a block of time each day in French, Spanish, Russian or German, and Japanese or Chinese. In addition, time will be devoted daily to studies of the cultures and peoples represented by these languages by a teacher trained in multi-cultural studies and intergroup activities.
4. *A School in the Community/Career Awareness Mini-School* will emphasize direct experiences with institu-

tions and activities in the community as the basis of study. Trips to various places in the community, including provision for instruction as these sites will be central to this program. Students will not only learn about the existence of agencies, jobs, and institutions, but also how they work and how students can train themselves to qualify for a career in a variety of fields.
5. *An Animal and Plant Life Mini-School* will emphasize first-hand experiences with the actual raising of animals and crops. Facilities will be provided so that a wide variety of experiences in horticulture and husbandry may be presented. An appreciation of labor and the discovery of various phases of development of animal and plant life will be integral parts of this program.
6. *A Social Science/Science Mini-School* will emphasize multi-cultural studies as well as outdoor, ecology-oriented studies. A few foreign countries and cultures will be studied in depth and compared with our life here in the United States. These studies will include customs and life styles, government and sociology. Additionally, outdoor educational experiences will be provided many times during the school year with emphasis on the study of the environment and the impact of developed and undeveloped societies on their environment.
7. *An Early Childhood Education Mini-School* will provide a design with a variety of classroom structure, educational experiences in language, reading, mathematics, music, art, science, physical activity and health that will develop a readiness base and continuum of skills in primary grades. Parent participation is essential in all phases of the program to insure the child's well-being and progress.

1974 TRANSCRIPT —EXCERPTS.

Volume 1—February 25, 1974

Direct Examination of Ramon C. Cortines

[Volume 1, Page 24]

[24] The Clerk: Please state your true name and spell the last.

The Witness: Ramon C. Cortines, C-o-r-t-i-n-e-s.

Direct Examination by Mr. Paul.

Q. Where do you live, Mr. Cortines?

A. 1375 East Mountain Street, Pasadena, California.

Q. What is your occupation?

A. Educator.

Q. Do you have a position presently in the Pasadena school system?

A. Yes.

Q. What is your position?

A. Superintendent of the Pasadena Schools.

Q. How long have you occupied that position?

A. Since August of '73.

Q. Prior to becoming Superintendent of Schools in Pasadena what was your occupation?

A. Educator. I was Assistant Superintendent of Pasadena Schools, Administrative Director for long range planning, principal at two of the high schools.

Q. Simultaneously?

[25] A. Sometimes.

Q. How long have you been employed in the Pasadena School system?

A. Since August of 1968.

* * * * *

[33] Q. Do you know whether at the time the Pasadena schools opened in September 1970 any school in the district had a majority of any minority?

A. No, they did not.

Q. And in September of 1970 what was your position within the district?

A. Specifically I was Assistant Superintendent for Secondary Education and was principal at John Muir School at the time.

Q. And how are you aware of the ethnic balance within the schools when the schools opened in September 1970?

A. The then research office issued a report each October relative to the ethnic distribution and numerical count for the entire school district, school by school.

* * * * *

[35] Q. How long did the Pasadena schools maintain literal compliance with the provisions of the order requiring that there be no school with a majority of a minority?

A. One year.

Q. What happened in the second year of the Pasadena plan, that is the school year 1971-72, with respect to schools, no school having any majority of any minority?

* * * * *

A. There was one school that was not in compliance with the court order.

* * * * *

[36] Q. Which school was not in compliance in '71-72?

A. Loma Alta Elementary School.

Q. Who were the members of the Pasadena School Board at that time?

A. Mrs. LaMottee, Mr. Lowe, Mr. Sheats, Mr. Marcheschi, Mrs. Hight.

Q. Do you know whether any effort was made by the school board to bring the Loma Alta school into compliance with the court's order?

A. Yes.

Q. And what effort was made, please?

A. Plans were made to look at redistricting that particular school. I believe that the board had some involvement, a member of the school board had some involvement relative to communication with the court.

Q. What happened in the Pasadena school system with respect to the no majority of any minority provision during the school year 1972-73?

A. There were four schools that had a majority of a minority.

Q. Were those schools all at the elementary level?

A. Yes.

* * * * *

[38] Q. What happened in the school year which commenced in September 1973 with respect to the abilities or fact of compliance with the no majority of any minority provision?

A. I believe we had five schools that had a majority of a minority.

Q. And who were the members of the school board at that time?

* * * * *

A. Dr. Myers, Dr. Vetterli, Dr. Marcheschi, Mr. Newton, Mr. Sheats.

Q. When were Messrs. Myers, Vetterli and Newton elected to the board?

A. March 3rd of 1973.

* * * * *

[53] Q. Mr. Cortines, referring to the exhibits that have been received in evidence thus far and those in particular that have to do with the changes in the ethnic enrollment in the Pasadena school system, does the trend disclosed by those exhibits present any problem to the district in complying with the provisions of the court order requiring that should there—there shall be no majority in any school?

A. Yes, they do.

Q. And do you as the Superintendent of Schools [54] for Pasadena believe that the district should be relieved of that requirement of the court order?

A. Relieved of the specific that there should be no majority of any minority?

Q. Yes.

A. I do.

Q. Is there any way, in view of these forecasts, for the Pasadena School District to comply literally with that provision of the court?

A. Now or—when?

Q. Now.

A. Yes, we can comply now.

Q. And how would you do that?

A. Through redistricting.

Q. How often in your judgment would such redistricting be required?

A. It is according to the school that we are talking about in the particular area relative to stability, relative to mobility of student population or a community in transition. It could be as often as once each—each year, and it could be over a period of several years. It depends upon the area that we are talking about.

Q. But there would be, would there not, if the present trend continues schools year year that would not comply with [55] the no majority of any minority provision?

A. If we did not redistrict?

Q. If we did not redistrict and if the present trend continues?

A. Yes.

Q. Are you aware of the views of teachers and educators concerning the effect of repeated transfers of students to various schools?

A. I believe so, yes.

Q. Is there, in your judgment, a unanimity of opinion among the educators on that subject generally?

A. I think yes.

Q. And do you have an opinion as to the effect of such transfers annually upon the students within the school system?

A. My opinion?

Q. Do you have an opinion?

A. Yes.

Q. What is your opinion?

A. I believe a constant transfer of students necessitates usually a transfer of staff and a transfer obviously of parents. And because of not being able to have stable schools and make some projections on more than just one year relative to educational programs, a sequential learning process, [56] involvement of parents, staff development, that transfers have a serious effect on the building and creating of a stable school if they happen each year.

Q. Would that effect be adverse in your opinion educationally?

A. I believe it does.

* * * * *

Direct Examination of Peter Hagen.

[64] PETER F. HAGEN, called as a witness on behalf of the defendant, being first duly sworn, testified as follows:

* * * * *

By Mr. Paul:

Q. What is your occupation, please, Mr. Hagen?

A. I am a psychologist.

Q. By whom are you employed?

A. I am employed by the Pasadena Unified School District.

Q. How long have you been so employed?

A. Approximately two and a half years.

Q. What is your responsibility at the district?

A. My title is Administrative Director for Planning, Research and Development.

* * * * *

[67] A. Exhibit J shows the living density patterns in 1973-74 again for black students.

* * * * *

[68] Q. In the year 1973-74 Exhibit J, again the zero at the bottom of the chart which is blank, that also shows the school attendance areas in which there are no Negro children?

A. According to our student data base that is correct.

* * * * *

[69] Q. What does Exhibit J show as to the population trend of the Negroes in Pasadena?

A. It shows that they are becoming more diffuse throughout the community, but it would depend upon what zone you were talking about for specific information.

Q. Yes.

In any event, there are in 1973-74, as disclosed by Exhibit J, ten school attendance zones in which there are [270] no blacks?

A. According to our records that is true.

* * * * *

Direct Examination of Henry Marcheschi.

* * * * *

[83] HENRY MARCHESCHI, called as a witness on behalf of the defendant, being first duly sworn, testified as follows:

* * * * *

[84] *Direct Examination by Mr. Paul.*

Q. Where do you live, Mr. Marcheschi?

A. I live at 3745 Startouch Drive in Pasadena, California.

Q. How long have you lived in Pasadena?

A. I have lived in Pasadena approximately 16 years.

Q. What is your occupation?

A. I am president of the American Telecommunications Corporation.

Q. And you are a member of the Pasadena School Board?

A. Yes, I am.

Q. What office do you presently occupy with the school board?

A. I am the president of the board.

Q. Do you have a college degree?

A. Yes, I do.

Q. From what institution did you receive your degree?

A. From the University of Illinois.

Q. In what year?

A. 1953.

Q. And the degree is what degree?

A. Bachelor of Science degree in mechanical engineering.

Q. How long have you served on the Pasadena School Board?

A. I have served on the Pasadena School Board approximately [85] two and a half years.

Q. Were you elected to office on the board?

A. Yes, I was.

Q. And when were you elected?

A. It was in the spring of 1971.

Q. When did you become president of the board?

A. I became president of the board in July of 1973.

Q. Do you have any children attending the Pasadena schools?

A. Yes, I do.

Q. How many?

A. I presently have three, my oldest boy having gone to college.

Q. And prior to going to college did he also attend the Pasadena schools?

A. Yes, he did.

Q. In what grade levels are your children now lodged?

A. I have a girl, Deborah, at Pasadena High School. I have a girl, Lisa, in junior high school. I have a son, Michael, in the elementary schools.

Q. And do any of your children ride the bus?

A. At the present time they do not.

Q. Have they in the past ridden the bus?

A. Yes, they have.

* * * * *

[90] Q. Has the school board as a result of its study and concern over the no majority of any minority provision reached any conclusion as to what steps can be taken to get into compliance with that provision of the order literally?

A. Yes.

Q. And have you reached a decision or conclusion among yourselves as to what could be done?

A. I believe so.

Q. And what is that?

A. I believe that at the present it is possible to effect compliance by massive redistricting of the school district.

* * * * *

[95] Q. Mr. Marcheschi, I show you a document entitled "Pasadena Unified School District, December 18, 1973, The Integrated Zone Educational Alternative Plan, a Proposed Modification to the Pasadena Plan."

The Clerk: Defendant's Exhibit L marked for [96] identification and placed before the witness.

(The exhibit referred to was marked Defendant's Exhibit L for identification.)

By Mr. Paul:

Q. Are you familiar with the provisions of that exhibit?

A. Yes, I am.

Q. Did you have anything to do with the formulating of the proposed modifications to the Pasadena plan that are reflected in this exhibit?

A. Yes.

Q. And what did you have to do with the proposed modifications?

A. I was primarily responsible for the conception of this particular modification approach.

Q. When did you first personally give attention to the manner in which in your judgment the Pasadena plan should be modified?

A. I began to give attention to the possible modification of the Pasadena plan very early in my tenure as a board member.

Q. I will show you a document with attachments entitled "The New Pasadena Plan, A Recommended Approach to Achieve Voluntary Integration and Equality of Educational Opportunities in the Pasadena Unified School District by H. Marcheschi, [97] Member, Board of Education, Pasadena Unified School District, October 26, 1971."

The Clerk: Defendant's Exhibit M marked for identification and placed before the witness.

(The exhibit referred to was marked Defendant's Exhibit M for identification.)

By Mr. Paul:

Q. Did you prepare Exhibit M?

A. Yes, I did.

Q. And over what period of time did you work on it?

A. The proposal was the culmination of a rather lengthy period of study in the entire area of school integration which had initially its impact on educational achievement which initiated to the best of my recollection in mid-1970.

Q. Were there any subsequent efforts of yours directed at similar modifications?

A. Yes, there was another modification which I presented to the school board at a later date, I believe it was in 1972.

Q. I will show you a document entitled "Neighborhood School Integrated Zone Plan for Grade K-6, A Proposed Plan to Restore Neighborhood Schools, Promote Voluntary Integration, Achieve Equality of Educational Opportunity and Racially Stabilize the Pasadena Unified School District, by [98] H. Marcheschi, Member of the Board of Education," dated January 9, 1973.

The Clerk: Defendant's Exhibit N marked for identification and placed before the witness.

(The exhibit referred to was marked Defendant's Exhibit N for identification.)

By Mr. Paul:

Q. Did you prepare Exhibit N, Mr. Marcheschi?

A. Yes, I did.

* * * * *

[99] Q. What did you do with the new Pasadena plan, Exhibit M, after you prepared it?

A. It was presented to the school board in three separate parts. Part 1 was presented on October 26, 1971. Part 2 and Part 3 were presented at school board meetings shortly thereafter.

Q. And what did you do with Exhibit N dated January 9, 1973 after you prepared that one?

A. That was also presented to the school board on the date noted, January 9, 1973. And I believe in both cases I move adoption of these particular modifications.

Q. Who were the members of the school board on the occasions when you presented both Exhibit M and Exhibit N?

A. Mrs. LaMotte, Mr. Lowe, Mrs. Hight, Mr. Sheats.

* * * * *

[101] Q. Turning to Exhibit L, the proposed modification of the Pasadena plan dated December 18, 1973, have you discused these modifications with the other members of the board?

A. Yes.

Q. And other than Mr. Sheats do each of the board members agree that the Pasadena plan should be modified as reflected in Exhibit L?

A. As evidenced by their affirmative vote to present this plan for modification to the court the answer to that is yes.

(Brief pause.)

Q. I will show you a copy of an affidavit dated December 19, 1973 bearing the title of "Affidavit of Henry Marcheschi in Support of Motion by Pasadena City Board of Education," and ask you if you executed that affidavit at or about the date it bears?

The Clerk: Defendant's Exhibit O marked for identification and placed before the witness.

(The exhibit referred to was marked Defendant's Exhibit O for identification.)

[102] By Mr. Paul:

Q. Directing your attention to the second page of the affidavit commencing at line 20 and I quote:

> "Further affiant believes and therefore affirms that greater racial stability and an improved integration and nondiscriminatory educational program can best be achieved through the adoption of certain modifications to the plan."

What is the basis for your statement that in your judgment the modifications proposed will provide "greater racial stability"?

A. Mr. Paul, I have to base that in part on the history as indicated by Exhibit K of the relative instability which has occurred in the school district over the past period of years which, as you are aware, has indicated a trend of decreasing Caucasian enrollment even prior to the implementation of the plan. Consequently in my opinion by the data accelerated on the Pasadena plan it is my belief that it is essential that we have to find a way to attract new Caucasian families to the school district for what we are experiencing now is no longer a phenomenon of white flight but one of white boycott, that is to say, that those families which may have desired to remove their Caucasian children [103] from the school district by either placing them in private schools or by leaving the school district and moving elsewhere. I believe that the brunt of that phenomenon is behind us and even those of us who have opposed the plan would have hoped to see some amelioration of the rate of decrease when that

phenomenon had passed us. However, that has not been the case as you see from the numbers in Exhibit K.

So I believe there is general concurrence that the phenomenon that we are now experiencing is one where we don't have the number of white families moving in to offset those who are either graduating or leaving the Pasadena area for all of the many reasons why people leave an area, not necessarily associated at all with the Pasadena plan.

When I met with the superintendent early this school year with my instructions to attempt to devise a school system with an educational concept that would conceivably provide the kind of educational attractiveness that we would start bringing Caucasian families, and for that matter all families, into the Pasadena School District, as was evidenced by the data this morning, not only have we experienced a decrease in Caucasian students but we have had for all intents and purposes no marked increase of the amount of minority students either. So it was my conclusion that we had to reconstruct the educational "selling attractiveness," if [104] you will, for want of a better term, of the Pasadena School District in such a way so that Pasadena was again the kind of school district, the kind of city that people move into because of its school system. To that extent we discussed it with the superintendent and certain members of his staff, various concepts on how we could do this. We discussed extensively trying to give the image of a private school system where parents had choices, where the excellence of education was such that not only the parents have choices but they had choices which were viable and attractive to them. Out of that particular concept therein lay the concept, at least part of the genesis of the concept, of providing schools at which distinct educational alternatives were offered, plus the freedom to choose between those alternatives which, in my opinion, introduce into our public school system a very viable force to improve education which had never existed before, that being, very simply, competition among the schools for students, because I am a strong believer that it is competition among schools which is

going to be one of the most dominant forces that iinproves our educational system not only in Pasadena but elsewhere.

So on the basis of that rationale I believed—partly on the basis of that rationale I believed that the modified plan as it was conceived would offer the kind of [105] attractions which would again attract families to our community and stabilize the ethnic composition of our school district.

Q. Now, you may have answered my further inquiry concerning the statement—additional statement contained in your affidavit that not only greater racial stability would be achieved but that the modifications proposed would also provide, and I am quoting, "an improved integrated and nondiscriminatory educational program."

Is there anything to what you have said that you would care to add on the question of the basis for your statement that the modifications that the board proposes would, in your judgment, provide an improved integrated and nondiscriminatory educational program?

A. Yes, there is.

Q. What is that, please?

A. I would like to preface what I have to say, Mr. Paul, by stating that as is evidenced by the fact my children have and will continue to attend the Pasadena public school system, the fact that I am at the moment in the process of building a new home in the Pasadena school district, I am committed to continuing to reside in the Pasadena school district and doing whatever I personally can do, so to speak, to see to it we have an integrated school system. I [106] believe in integration in the schools.

I also believe on the basis of the trends to date, comparison of our school district with other school districts in the country, it is my personal opinion that unless we modify our plan that in the years ahead we will find that we have a school district that is so predominantly minority that meaningful integration at that point in time is a hollow and meaningless phrase. I

therefore believe that in order to make integration meaningful in the Pasadena school district we have to find a way to stabilize our Caucasian population in order, very simply, that there are sufficient Caucasian students left to integrate.

And I believe sincerely that this modification, while there certainly can't begin to be any guarantees in this most complex and trying set of circumstances, that it is the best potential answer to the problem that either I or Superintendent Cortines have been able to conceive.

[109] Q. Has the board given consideration as to the manner in which students would be assigned under the proposed modifications?

A. Yes.

Q. And what is the board's plan in that regard?

A. Under the proposed modification plan the method of assignment will be as follows: For any given school the first priority for seats in that school would go to children who are in the neighborhood served by that school and the priority would also extend equally to children whose race is in the minority in that particular school.

[110] Second priority—

Q. In the minority in that school or the minority in the school from which they come?

A. The minority in the receiving school, sir.

Q. Yes.

A. Second priority would go to children that are of a race who are in the majority in the receiving schools but do not live in that particular neighborhood.

* * * * *

Cross-Examination of Henry Marcheschi.

* * * * *

Cross-Examination by Mr. Landsberg.

Q. Mr. Marcheschi, would it be fair to say that the present plan that you are proposing, Defendant's Exhibit L, is an out-

growth of the prior plans which you proposed, Defendant's Exhibits M and N?

A. With certain important changes, yes.

Mr. Landsberg: I would like to ask the clerk—

Q. Do you have Exhibit M before you?

A. Yes, I do.

* * * * *

[113] Q. On page 12 you state at the very least black parents should have the right if they so choose to send their children to predominently black schools where the educational process is especially tailored to black needs as blacks see those needs, is that correct?

[114] A. Yes.

Q. Could you explain what was behind that statement?

A. Yes. There are a number of factors behind that statement. The first factor is that there is not by any stretch of the opinion a unanimity of positions in the black community in Pasadena with respect to the Pasadena plan or compulsory busing to achieve racial balance.

I was therefore trying to reflect in this statement the opinion of a certain segment of our black community, which opinion, incidentally, was in part also reflected in my testimony before the House Judiciary Committee.

Number two, I have a very, very strong philosophical adversion toward what I consider to be an ironic paradox of our present plan. I draw this analogy. In the south blacks were at one time required to ride in the back of the bus. I think any reasonable person at this point in time would agree that that was an abominable situation. There then came to pass legislation and, more than all, I thing a change of feeling on the part of many people due to the civil rights movement where blacks then were permitted to sit anywhere they please in the bus, including the front. So is the case I believe in school desegregation in my opinion. We once had a dual school system. Brown said that no child should be excluded from any school because

of his race. They should be [115] able to go to school wherever they please. But the philosophical hangup I have with compulsory racial balance is the fact now that we are compelling black children to attend racially balanced schools whether they want to or not. There is at least evidence that some don't want to.

The analogy is that it would be the same as if we told that black person on the bus now not only can you sit anywhere you want but we are not gonna let you off the bus, you have to ride. I personally feel that compulsory attendance of black children at racially balanced schools, even though the parents of those black children do not wish their children to attend, to me is a denial of freedom every bit as onerous as that denial which caused them once not to be permitted to attend white schools.

Q. So that they should have the right to choose to send their children to a black school, is that correct?

A. I believe they should have that right.

Q. And conversely, would you say the same thing about white children?

A. I would say that white children—let me retract, back up one moment, counsel.

I believe black parents should have the right to attend—their children to attend black schools. I do not believe that they should have the right to make those schools [116] exclusively black. In other words, white children should not be denied attendance at those schools.

By the same token I believe that white parents should have the right to have their children attend neighborhood schools but they should not have the right to exclude integration of those schools by precluding black attendance.

* * * * *

Q. Now, Part 2 of the 1971 plan, which is Exhibit M, in fact contained a proposal of yours to bring about that end, is that correct?

A. To bring about which end, sir?

Q. The end of providing the freedom of choice that you were describing earlier.

A. Would you please refer again to the exhibit number.

Q. Exhibit M.

A. M as in Mary?

Q. Yes, sir.

A. Exhibit M did include a proposed modification which would have, to the best of my recollection, created racially balanced schools by then giving black children the [117] right of reassignment, if you will, at their request into predominantly black schools.

Incidentally, there is one further component to what I meant about black schools. I believe the phrase is meet the educational needs of black children as blacks see these needs." I am personally convinced after considerable investigation and considerable discussion with what I consider to be authorities throughout the country that we have yet to really come up with a viable answer or answers as to how we do indeed impact in a favorable and viable way on a minority achievement. I believe that as a matter of record that even our most trusted authorities in the area expressing frustration at our inability to do so. It was my belief under this type of curcumstance that anything we can try that is positive should be tried that even has a ghost of a chance in addressing itself to that improvement. But it was my opinion after extensive interfacing with black leaders in the black communities who were in favor of black community schools that it had sufficient potential that it should at least be tried.

• • • • •

[121] Q. Could you turn to Exhibit 1 of plaintiff intervenor, in other words, the attachment to your plan, to Part 2 of your plan, page 2.

A. Which plan, counsel?

Q. Government Exhibit—Government Exhibit 1, the last two pages, the three pages styled Exhibit 1.

A. Thank you. I have it.

Q. They are attachments, is that correct, to your plan?

A. Yes, they are.

Q. And there is a chart in that attachment. Would you explain the chart, please, on page 2 of Exhibit 1.

A. Let me review the entire exhibit, counselor, because I don't recall it exactly.

(Brief pause.)

Okay. Would you please repeat the question?

Q. Number one, what would be the optimum percentage of black students in the integrated schools?

A. I believe I don't know if there is any such optimum number overall. I believe I referred earlier to the extent there is a correlation between racially balanced classrooms and educational achievement of minority youngsters. Those who attempt to support that theory seem to agree that once you get beyond 50 percent minority enrollment those advantages [122] no longer obtain. So from an educational standpoint you would attempt, if possible, to take an assumption that those who propound that theory are correct and attempt to optimize to that end.

Q. In order to optimize to that end do I interpret your chart correctly as meaning that 1,000 black students would have to attend black schools in order to have majority white balanced schools?

A. Based on the data obtained at that time and to the best of my recollection this was based on enrollment data that existed in 1971-1972, that was the case. I think you recognize the fact that that figure would be substantially different today.

Q. It would be larger, would it not?

A. Yes, it would.

Q. That plan also provided for the creation of magnet schools, is that correct, do you recall? I refer you to page 5 of the plan.

• • • • •

[123] The Witness: The answer is yes.

* * * * *

[128] Q. Mr. Marcheschi, the first modification in Defendant's Exhibit L is to change the grade organization of the schools, could explain why that was done? Was it proposed?

A. I believe there are two reasons. The first reason is that within any given one of the four zones we wish to provide a maximum number of alternatives from which parents could choose.

* * * * *

[130] The second reason is to the extent that we believe one of the factors of some stability is reestablishment of the right to attend the closet school in one's—to one's home if one desires to do that. Then the K through 6 format makes that right a reality as well as since this approach does not obtain under a K through 3, 4 through 6 format because the school closest to your home may be 4 through 6 and your child happens to be in the second grade, for example. So I would say that those two reasons together seemed to dictate the K through 6 format. I am sure there are some others but those are the ones that come immediately to my mind.

* * * * *

Q. Mr. Marcheschi, how many types of alternative education would be offered in each zone?

A. How many types is yet to be determined. What we [131] have determined is that initial spectrum of possibility.

Q. Have you determined that an initial spectrum of possible numbers, in other words whether there be five or three, two?

A. It would seem to me that based on what I have said a few questions ago that we would want at least as many alternatives as there are schools in any given zone.

Q. So the number of alternatives would depend upon the number of schools in the zone?

A. In part. In part they would also depend upon a number of other factors. One, the success that we have on putting together meaningful alternatives. That is to say I can visualize a situation where in the entire district we might have more than six alternatives. We might have six in Zone A and maybe six in Zone B but maybe only four are common, if you follow me, so that as a school district as a whole might mean we have eight.

The other factor which I believe is far more important is that in the final analysis is the number of alternatives that we would have under the plan would not be necessarily based on an inductive approach, that is to say, we sit back and decide what is best for our school population, but indeed it would be dependent on more than anything else the response we got from the parents. If we found that a [132] great number of parents seemed to finally settle on a number of alternatives, on a small number of alternatives, we would pretty well wind up with a small number. If on the other hand we saw that the community and parents wished a greater number of alternatives in this kind of conceiving a school system, which intimately responds to the desires of parents on a competitive basis, I can readily see where we would wind up with as many alternatives within reason that the community desired.

* * * * *

[133] Q. Would all students in each school attend the alternative program?

A. Only—

Q. Under your plan.

A. Only if all students in that school opt for the alternative program. They have a choice.

* * * * *

[141] Q. The Plaintiff Intervenor Exhibit 3 has racial projections on the second page, is that correct, under one of the models?

A. That is correct.

Q. Was a racial projection done for the February 21, 1974 modeling exercise?

A. I withdraw my last answer, counselor. This is not a projection of racial composition. It is indeed an analysis of what —at this part in time what the ethnic composition is of those students living within three-quarter miles of each of these schools. Therefore to the extent that this is relevant it would apply equally to the February 8th study as it would to the February 21st study.

Q. All right. Now, the Plaintiff Intervenor Exhibit 3 shows that if all the children within three-quarters of a mile of the Cleveland school were to attend that school it would be 91.9 percent black, is that correct?

A. That is correct.

Mr. Paul: It is immaterial, your Honor.

The Court: The objection is overruled.

By Mr. Landsberg:

Q. And looking at the February 21, 1974 modeling [142] exercise, maximum capacity of the Cleveland school is 586. If all the students within three-quarters of a mile attended that school it would be 559 students attending, is that correct?

A. Sorry, counselor, you are going to have to take me through that once again.

Q. All right. Looking at the February 21, 1974 modeling exercise what is the maximum capacity stated for the Cleveland school?

A. 586.

Q. And what is the number of students in grades K through 6 within three-quarters of a mile of the Cleveland school?

A. According to the study of February 21st that is precisely the number that appears in the amount column, that is all students K through 6 within three-quarters of a mile of the school. I see that number represented as 559.

Q. If 50 children from outside that zone were to choose to attend it, of the white race, then there would not be room there for them, would there?

A. Assuming that all black students in that—

Q. That is what this exercise assumes?

A. I say assuming that all blacks students in that particular school remained in their neighborhood school.

[143] Q. Right, that is a possibility under your plan, is it not?

A. I do not consider it a reasonable possibility.

Q. But it is a possibility?

A. I assume anything is a possibility.

Q. Well, I am trying to find out what procedure would—what the board's procedure is for assignment if 50 white children and 559 black children choose to attend the Cleveland school.

A. The plan of assignment, counselor, does not attempt to comprehend an eventuality which in my opinion, and I believe in the opinion of our staff, cannot under any reasonable circumstances occur.

Q. Have you prepared any projection of the probable enrollments by race under the proposed plan of December 18, 1973?

A. There is no way that I know—the answer to that is no, because there is, number one, no way that I know of, of attempting to anticipate what will be the choices of the parents of the school district. However, there is certainly evidence before us which would strongly suggest in my opinion that the example which you cited in an attempt to show that the assignment plan had not anticipated all possibilities, I think there is evidence where we can deduce [144] that we are going to produce under such a plan significant transfers away from the closest school towards any student's home.

Q. Well, on page 3 of Defendant's Exhibit L, do you have that before you, Mr. Marcheschi, it is the December 18 plan?

A. Just a minute. I have it.

Q. Paragraph 4 on page 3, the first sentence states:

"On the basis of providing parents with new options as to the type of educational available the ethnic balance at some sites may be altered for what it is at present."

Is that your opinion?

A. Yes, it is.

Q. That is a likelihood?

A. I believe that under the proposed plan it is unlikely that we would precisely duplicate the ethnic balance that each school presently obtains.

Q. Well, you go further and say that it is therefore proposed that if any students—school's ethnic profile should deviate significantly from the districtwide ethnic profile that school would be paired with a sister school with an opposite ethnic makeup, is that correct?

A. Yes.

* * * * *

[150] Q. What is that?

A. That is the provision of educational alternatives and school provided transportation. And as I envisage, implementation of the program, every conceivable act on the part of the school district short of compulsory assignment to preclude what I consider to be the nonexistent possibility that such a school composition will result.

Q. How often would the students have the shared experience that you referred to which is described in paragraph 4 of Defendant's Exhibit L?

Mr. Paul: That calls for a conclusion.

The Court: The objection is sustained. The plan calls for a half a day a week.

By Mr. Landsberg:

Q. And it is on an optional basis, is that correct?

A. Yes, it calls for a minimum of one-half a day a week.

Q. So that it is dependent upon other children choosing to participate in the exchange program, is that right?

Mr. Paul: The question is argumentative.

The Court: The objection is sustained.

By Mr. Landsberg:

Q. Mr. Marcheschi, do you recall that in June of 1972 [151] a small part of the school system attempted to de-annex?

Mr. Paul: Objected to on the ground it is immaterial.

The Court: The objection is overruled.

The Witness: Yes, I do recall that.

By Mr. Landsberg:

Q. That was an all-white section of the schoool system, is that correct?

A. To the best of my recollection it was predominantly white. I can't say it was all white.

Q. According to the maps up here on the board it was all white.

A. No, I think the maps on the board purport to say that there were no blacks in—I am quite reasonably sure there was a fair sprinkling of Mexican-American and Spanish speaking people in that area. I do not say that is a fact, of course, it is my guess that there is.

Q. And what was the board's vote on that de-annexation request?

A. It was defeated, was it not?

A. Yes, it was.

Q. And you voted for the de-annexation, is that correct?

[152] Mr. Paul: Immaterial.

The Court: The objection is overruled.

The Witness: I do not have the minutes before me, but if you say I did I assume you are reading the minutes.

Mr. Landsberg: I would like this marked as plaintiff intervenor's exhibit next in order.

The Clerk: 4.

Mr. Paul: May we have it identified?

Mr. Landsberg: The minutes of June 27, 1972.

The Clerk: Plaintiff Intervenor's Exhibit No. 4 marked for identification and placed before the witness.

(The exhibit referred to was marked Plaintiff Intervenor's Exhibit 4 for identification.)

By Mr. Landsberg:

Q. Turning to page 17883, is it correct that "Mr. Marcheschi voted nay because he felt the parents should have the right to freedom of choice," on the motion to reject the de-annexation?

A. I am sorry, what was your question, counsel?

The Court: Does that refresh your recollection as to how you voted, Mr. Marcheschi?

The Witness: Yes, according to the minutes I voted in the negative on a four to one vote.

[153] By Mr. Landsberg:

Q. Does that accurately state the reason for the vote?

A. I do not believe this necessarily reflects the entire reason of my vote—for my vote, but certainly my feeling that the parents within that school district, within that part of the district should have the freedom to send children to the school of their choice is a philosophy which I have subscribed to constantly and is reflected in the present plan.

My recollection also recalls that we have had in that particular district perhaps more than in others an extremely heavy withdrawal of Caucasian students. It is my recollection that what I was attempting to portray in this particular case was essentially a vote of protest, a vote of protest that would say irrespective of whether we allow them to leave us or not they are leaving us anyway. And I think it was by my negative vote that I was trying to emphasize to the board, my fellow board members at that time, the futility of the compulsory aspects of our plan.

* * * * *

Cross-Examination [was continued] by Mr. Okrand.

* * * * *

[155] Mr. Okrand: Your Honor, may I have the clerk hand a copy of this statement before the house committee up to the witness?

The Court: Certainly.

By Mr. Okrand:

* * * * *

[156] Q. And you testified before that committee on May 3rd, 1972?

A. I can't tell by this record what the date was, counselor.

Q. But it was in May of '72, was it not?

A. I believe you are correct.

Q. On that page at the part where I have a paperclip mark is a statement, "Pasadena had always maintained a unitary school system, and to the extent racially imbalanced schools existed, as indeed they did, they existed primarily as a result of housing patterns." Did you so testify?

A. Yes, I did. I also recognize, counselor, that what is and what is not a unitary school system has been, as I understand it as a layman, in the process of evolution. So that what I believed back in May, that date may not necessarily be what I believed when I signed the statement.

* * * * *

[165] Mr. Okrand: May I have marked for identification as plaintiffs' next in order Part 2 of the plan and its implementation, November 9, 1971.

The Clerk: Plaintiff's Exhibit Roman numeral VIII marked for identification and placed before the witness.

(The exhibit referred to was marked Plaintiff's Exhibit VIII for identification.)

Mr. Okrand: I move Plaintiffs' VIII in evidence.

The Witness: This is already in evidence, isn't it, counsel?

Mr. Paul: I object, your Honor. It is immaterial.

The Court: For the limited purpose stated by the court Roman numeral VIII in evidence.

(The exhibit heretofore marked Plaintiff's Exhibit VIII was received in evidence.)

* * * * *

[175] Q. In connection with the alternative plan which you [176] had proposed for the district I think you on direct examination stated that there was no way of anticipating how many parents would want their children to go to what school if it were implemented, is that correct?

A. That is correct.

Q. Would it be possible to have a survey made of the parents of the school proposing the plan and asking them to indicate their interest in the plan?

* * * * *

[177] A. Yes, that would be possible but I submit it would be meaningless at this time.

Q. No effort was made to ascertain what parents would desire to do as to whether their children should go under the proposed plan, is that correct?

* * * * *

[179] A. I believe that such a poll would be possible at this point in time but inasmuch as we have yet to develop the material which would fully expound these particular alternatives, what the possibilities were, essentially have an opportunity to sell these alternatives, then it would seem to me that such a poll in this point of time would not be meaningful.

I submit that given authority to proceed by this court it would be able to in the intervening months between [180] now and the commencement of the school year be able to develop not only the materials but the necessary marketing campaign, if you will, that would be necessary to make the program work.

* * * * *

[181] Q. Under the proposed plan if a family has, for example, three children of elementary school age and each of them wants to go to a different school your plan envisages they may go and be bused for that purpose, is that correct?

A. As long as those schools are all contained within the same zone, that is correct.

Q. Under the present plan if a family has children of the same grade level to go to a—say, go to a K-3 school they go to that one school, they do not go into different K-3 schools, isn't that correct?

A. That is correct.

Q. With regard to the Fundamental School, if you know, do the children come from all over the school district?

A. I believe that is so.

Q. Not merely from a zone?

A. That is correct.

Q. So that the length of transportation would be longer in some instances than if they were going to a school within their zone?

Mr. Paul: That calls for his conclusion.

The Court: The objection is sustained.

By Mr. Okrand:

Q. Do you know whether or not the school district had any black or Mexican-American task forces as a part of their [182] program in the past years?

A. Yes, I served on the Black Task Force.

Q. What is the purpose of those task forces?

* * * * *

The Witness: The purposes of those task forces is to the best of my knowledge to provide another communicative link of the many that already obtain between the board and various identifiable segments of the community whose goals and objectives might have been peculiar to that particular group as opposed to an interest or goal which was common to the entire school district.

By Mr. Okrand:

Q. And when was the Black Task Force created?

A. I believe it was created before I joined the board so I cannot be authoritative on that respect.

Q. Was the true on the Mexican-American Task Force?

A. I believe so but I am not sure.

Q. When was the last time that the board had a Black Task Force?

* * * * *

[183] The Witness: To the best of my knowledge the Black Task Force existed in the school year '72-73, which would mean that we had a Black Task Force as late as June of 1973.

By Mr. Okrand:

Q. That is the last time, there is no Black Task Force this year?

A. There is not.

Q. When was the last time there was a Mexican-American Task Force?

A. The answer I believe is the same as the Black Task Force. My recollection, Mr. Okrand, is that the board this year did consider the reformulation of those task forces, although I was ill and during that period of time I am given to understand that the minutes show that the board did appoint a special subcommittee consisting of Dr. Meyers and Mr. Sheats to investigate the need or desirability of reconstituting those task forces. To the best of my knowledge that committee has yet to bring its recommendations to the board.

Q. That was done in October, was it not, of last year?

A. The constitution of that committee?

Q. No, its report.

A. I am not aware if the committee did bring a report.

Redirect Examination of Henry Marcheschi.

* * * * *

[184] *Redirect Examination by Mr. Paul.*

Q. May I ask the witness to deliver to the clerk the study of February 21, 1974 in connection with the assignment of students.

A. Yes.

Mr. Paul: Your Honor, I would like to have that [185] document marked in evidence as defendant's next in order.

The Court: P marked for identification.

(The exhibit referred to was marked Defendant's Exhibit P for identification.)

Mr. Paul: Your Honor will recall that it is from that document, Exhibit P, that the witness in fact testified concerning the assignment of students or the study that was made of whether students could be effectively assigned under the implementation to the Pasadena plan.

The Court: All right.

Mr. Paul: I am offering that in evidence, your Honor.

* * * * *

The Court: It is admitted subject to being stricken.

* * * * *

Examination by the Court of Henry Marcheschi.

[186] The Court: Mr. Marcheschi, you talked about educational attractiveness to Pasadena. What do you envision as the attraction to attract back white students that may have left the district? What would be the attraction that would attract them back?

The Witness: Your Honor, I do not believe that we can generalize about any given educational approach or philosophy that is going to attract people back. But one thing that I have experienced and at great length discussed not only with our superintendent but with other educators is the fact that there is a spectrum of desire on the part of parents as to what kind of education they want for their children. That is to say that some parents like a more [187] structured educational philosophy. Other parents like more open educational philosophies. Certain parents would like their children to be schooled in the three R's, primary emphasis on the three R's. Other parents may be-

lieve that even in early education that they would like their children to be exposed to more of the humanities and fine arts aspect of educational process. The point I am trying to reach, your Honor, is that I am convinced and I believe this is shared by many educators, that the direction of education is toward providing a pluralistic school system. That is to say, where it attempts to address itself to multiplicity of educational alternatives to match multiplicity of customer demands, so to speak.

I believe that many children have left our school system because they are not finding the educational answer that they seek. I therefore believe that by offering, by broadening the spectrum of alternatives that we provide, we will in effect provide the kind of goods that some of our potential and possible customers have left our store for to find elsewhere.

The Court: Well, what is the product that you are going to sell them?

The Witness: Well, we already have two products in the school district in addition to our standard school, our [188] regular schools which we already find our customers beating down the door for but we can't fit enough of them in. Even now, your Honor, in the Fundamental School and in the Alternative School there is evidence of students wanting to enter from the private sector, private schools, and we don't have the capacity to bring them in.

These two products, if you will, or one, a very open approach to education, and the other, relatively speaking, a much more rigid basic educational approach, so that as an example of two products which now exist that we already know are attractive to people who want to come back into the school district.

The Court: Let me ask you, Mr. Marcheschi, the Fundamental School, at least the first one, was established under the present plan, is that right?

The Witness: That is correct, sir.

The Court: Is there any reason why you cannot establish a second under the present plan?

The Witness: Your Honor, I know of no reason why we can't establish a second such plan—such school but it is my belief, your Honor, that rather than continue a multiplicity of alternative schools which have an effect of then taking children away from our regular schools that what we want to do is inject these alternatives into the regular [189] schools rather than landing up with a proliferation of magnet schools.

* * * * *

[191] A. Under the modified plan we have divided the school district from four zones ethnically balanced. Each zone contains five, six or seven K through 6 schools depending upon which that particular zone is.

Now, under the modified plan any child living within that zone can attend any school within that zone based on the assignment criteria that we have previously discussed.

* * * * *

[194] The Court: Mr. Marcheschi, you are telling me that you are trying to attract white students back to Pasadena.

The Witness: That is correct.

* * * * *

[198] The Witness: Your Honor, one of the features of the Pasadena plan with which even I agree is the philosophy that for at least half of their elementary school population a child would be allowed to attend a school nearest his home.

* * * * *

[200] The Court: Do you have any idea, Mr. Marcheschi, how long it would take to make a determination as to whether or not the plan which the board now suggests the court adopt would be tested?

The Witness: I'm sorry, your Honor.

The Court: For its success or failure.

The Witness: Again, your Honor, I do not mean to be argumentative, but its success and failure in what respect?

The Court: In any respect as to whether or not it is going to work, as to whether or not it is going to give us this integration that you talk about in your plan, or whether it is going to be successful educationally. How long is it going to take to test that?

The Witness: Your Honor, as I believe that one swallow does not make a spring in the case of Pasadena spring, I am basing the majority of my conclusion over a three-year implementation period. I believe, your Honor, that in my opinion it would take two to three years to judge both its efficacy with both respect to integration and to the [201] educational espects.

The Court: You were not willing to give the Pasadena plan two or three years, were you?

The Witness: Your Honor, the fact is that the Pasadena plan has had two years.

The Court: No, but you were not willing to give it two or three years. You started working on your plan as early as the next spring.

The Witness: Yes, your Honor. I think there is an important distinction, however, and that is that the Pasadena plan was not a brand new concept or occurrence on the educational scene in the United States. I believe that there was a broad history, in my opinion, in prior school districts, of prior cities where mandated racial balance had been implemented. I believe that based on my study of that history I anticipated some of the problems which the plan would create which in my opinion had become a reality.

In the case of the modified plan while I believe, your Honor, there are examples of alternatives and voucher type concepts which are bringing in exciting new elements to education, I do not believe that anyone at this point in time can say that the plan cannot produce the educational and integration benefits which I believe it will.

* * * * *

[205] The Witness: I say we've got to address ourselves where our customers—our customers are those students who have left

our school system for private schools and equally important our customers are those people who are moving into the Los Angeles community and electing to locate elsewhere than Pasadena because of our present plan.

* * * * *

[208] The Court: From your map here, Mr. Marcheschi, I take it that in terms of the alternative plan that Loma Alta, Audubon, Altadena, Franklin, Longfellow, Lincoln, Jefferson and Jackson—I'm sorry, eight schools would be in this area, eight of your elementary schools would be in the area that appears in the map which is exhibit, could you tell me what the exhibit is on the lower corner of the map, on Exhibit J, those schools would be within that area which is apparently we can call impacted with Negro neighborhoods.

The Witness: I can't imagine the correlation directly, your Honor, between the zones as they have been established in those particular maps. I do certainly agree that a number of schools would be located in the area that is predominantly black at this time.

The Court: From your own knowledge of the district, Mr. Marcheschi, which of the schools that you would anticipate would be within the area, the boundaries of which are indicated with large black public school populations?

[209] The Witness: Your Honor, I believe we have an exhibit which tells us that rather precisely.

May I have the exhibit which set forth my second proposed modification to the plan?

Yes, sir.

Your Honor, the schools that would be in predominantly black neighborhoods would be Audubon, Edison, Loma Alta, Franklin, Washington, Madison and Lincoln.

The Court: How about Cleveland?

The Witness: Yes, your Honor, certainly Cleveland.

The Court: Jackson?

The Witness: Yes, sir, I think I failed to turn on the last page here, your Honor. Let me cover those for you.

The Court: All right.

The Witness: Cleveland and Jackson, your Honor.

The Court: Let me ask you, Mr. Marcheschi, that is nine schools that at least would be identifiable as black schools. Do you think that is better than the plan even as it now stands which might have identifiable five black schools?

The Witness: Your Honor, are you assuming that those schools although they are located in predominantly black neighborhoods will have predominantly black attendance?

The Court: We are making the assumption, Mr. [210] Marcheschi, that might be a fair assumption that at least 60 percent of the people will not opt to be bused out of the area.

The Witness: Your Honor, I do not believe I have made that assumption, at least I haven't—

The Court: Can you make that assumption?

The Witness: I am in no position at this point in time, your Honor, to make that assumption.

* * * * *

[211] The Witness: Your Honor, assuming that those schools become racially identifiable, which at this point in time in my opinion is only an assumption, I do believe, your Honor, that it would be better to have those schools, nine schools racially identifiable than none. The reason I believe that way, your Honor, is because I believe if you allow the modified plan to go into effect in the long term, that is by 1980, your Honor, it is my sincere belief that we will be able to effect more integration by stablilizing the school district than if we allow the present plan to continue. If we, your Honor, grossly, negatively impact on the white flight problem by redistricting at this point in time, your Honor, I sincerely believe, and I believe I will be supported by the superintendent [212] in this respect, that redistricting at this point in time would have a further accelerating effect on white decline.

So a balance, your Honor, as I look at the school district a short five or six years from now, and I ask myself the question

under what plan will we have more integration in Pasadena, your Honor, with all the sincerity I can muster, I say that it is the modified plan.

The Court: Well, Mr. Marcheschi, let me ask you, do you have any idea, has anybody made any study or in connection with your plan did you make any study of how many white students there were available to fill in this plan so that it could be viable and so that you could have this integration that you talked about?

The Witness: Your Honor, we know how many white students are in the school district. We know how many white students are available. We don't know obviously, your Honor, how many white students we are going to be able to attract. I think the only thing that I can sincerely say is that I think the new plan has—I almost said damn, your Honor—a darned good chance of stabilizing the school district, it has a good chance, an excellent chance of creating the kind of educational program which will not only improve education in Pasadena but attract new families to the school district.

The Court: Mr. Marcheschi, has anyone made any [213] study, for instance, about how many white students there were available and in Pasadena schools in 1970 before the plan went into effect for the '69-70 year that were in private schools as opposed to what there are now?

The Witness: Your Honor, to the best of my recollection there have been a number of studies made which indicated an increase in the private school enrollment of some magnitude coincident with the implementation of the Pasadena plan. I do not know of any studies that have specifically addressed themselves to how many students can we get back assuming we make certain changes. I can't say, your Honor, that the application of private school students to both the alternative and to the fundamental schools has been heartening and given some indication that we can get some of them back.

* * * * *

VOLUME 2—FEBRUARY 26, 1974.

Examination by the Court of Henry Marcheschi.

[223] The Court: Let me ask you, Mr. Marcheschi, so we can get to the real nitty gritty.

The Witness: Yes, sir.

The Court: Is it the fact that you have to have all-white schools to ask back the white students who have now left?

The Witness: I do not believe so.

The Court: Is that the real fact?

The Witness: I do not believe so, sir.

The Court: But how do you expect to get them back if you do not do that?

The Witness: Your Honor, I believe that returning to a system which enables Caucasian families, that provides them the right to attend their neighborhood school if they so desire is a very critical and important element in reversing the actions which I have referred to as the white boycott of our school system.

I frankly believe, your Honor, and I sincerely believe that if we can attract, and this is only one component I believe in the solution, but to the extent that that component is important I believe it is. I believe that once we have these families moving back into our neighborhood, into our district, that it seems to me we at least have them here and can begin to be persuaded and can begin to apply the kind of [224] incentives that it will be necessary to apply to get them to move out of their neighborhood school.

Your Honor, I don't see any possibility under the modified plan where we would have all-white schools.

I also envision that at the very, very minimum there would be black students who would be opting to attend schools out of their neighborhood for the purpose of either the alternatives or

for the purpose of integrated education. So even under the worst of circumstances, your Honor, I can't possibly visualize all-white schools.

* * * * *

[227] The Court: And I am sure you know what the court record is as to what happened between 1964 and 1970.

Mr. Paul: I am familiar with your Honor's findings of fact which I know are conclusive at this point as to what the situation was as of 1970. But if your Honor please, at the time the court approved the Pasadena plan no one could say with any certainty what the results of implementing that plan would be. We have now presented—

The Court: Oh, yes, they do.

Mr. Paul: —to show what the results could have been, they have been disguised truths.

The Court: Oh, yes, we do. We could tell you the day that it was implemented that there would be no school in the district that would have a majority of a minority. You cannot tell me that today under this present plan.

The Witness: Your Honor, if I may, I agree with the court that if it had been the intent of the board or I as the primary conceiver of the modified plan to come before the [228] court and allege with certainty that the modified plan would result in a school district with no schools having a majority of a minority race or a school district in which there might not be any racially identifiable schools, your Honor, I agree with you that we would be asking you to buy a pig in a poke. At the risk of being presumptuous I consider myself to be too good of a salesman to come before the court and attempt to persuade it from that poor position.

* * * * *

Direct Examination of Albert Lowe.

[230] ALBERT LOWE, called as a witness on behalf of the defendant, being first duly sworn, testified as follows:

* * * * *

Direct Examination by Mr. Paul.

Q. Where do you live, Mr. Lowe?

A. 611 East Poppy Fields Drive, Altadena.

Q. What is your occupation, please?

A. Interior designer.

Q. How long have you practiced that occupation in Pasadena?

[231] A. Since 1948.

Q. You were at one point in time a member of the Pasadena School Board, were you not?

A. Yes, sir.

Q. And you are oriental, Mr. Lowe, are you not?

A. Oriental extraction, yes.

Q. Yes.

And what was the period of your service on the Pasadena School Board, please?

A. From July of 1969 to July of 1973.

Q. And during that time did you serve as president of the board?

A. Yes, sir.

Q. And during what period did you serve as president of the board?

A. July of 1970 to July of 1972.

* * * * *

Cross-Examination of Albert Lowe.

[256] *Cross-Examination by Mr. Okrand.*

* * * * *

Q. You testified on your direct examination that there were many factors which caused a lessening of white students in the Pasadena school system, the Pasadena plan being one of them. And then you said there are other factors. What are the other factors?

Mr. Paul: The question has been asked and answered, your Honor.

The Court: The objection is overruled. This is cross-examination.

The Witness: Other factors that would cause a decline in white enrollment, declining birth rate. As I recall the Pasadena loss of total student enrollment has been about equal to that of the state as a whole.

Secondly, Pasadena itself has some decline in residents due to freeway construction. Some of those residents were no doubt white.

Smog has driven some people away.

The appeal of some of the other areas for moderate priced housing of new variety, which Pasadena cannot or does [257] not offer, those are essentially the other factors.

Q. Did urban development have anything to do with it do you think?

A. I am sorry, I did not think about that. Freeways and urban development.

Q. Did relocation of businesses away from Pasadena have anything to do with that, would you think?

A. Yes, sir.

Q. Did you make any recommendations with reference to increasing the white population in the schools of Pasadena?

A. Yes, sir.

Q. What?

A. Particularly the desirability of instituting and continuing a public information program that would be much broader than would be typical of a school district, on the belief that we needed to sell our wares, as it were, and the wares being the educational

offerings that we were providing. There was—that was my bigges point that the board had direct control over. In addition to that in the community itself I attempted at least to encourage communiy groups to do various things to promote interracial understanding and harmony on the belief that that is the way to stabilize a district to build more of that kind of harmony. Those are the two particular.

Direct Examination of Peter F. Hagen, Recalled.

[262] The Court: Mr. Hagen, you have been previously sworn, you are still under oath.

PETER F. HAGEN, recalled as a witness on behalf of the defendant, having been previously duly sworn, resumed the stand and testified further as follows:

* * * * *

[267] Mr. Paul: I will ask that a map entitled "Number of White Students Enrolled in the Pasadena Unified School District in Zones 1 through 92, 1973-74" be marked for identification.

The Clerk: Marked next in order as Defendant's Exhibit X for identification.

(The exhibit referred to was marked Defendant's Exhibit X for identification.)

The Clerk: Defendant's Exhibit X marked for identification and placed before the witness.

By Mr. Paul:

Q. Exhibit X I take it was prepared at or about the same time as the other maps?

[268] A. That is correct, and is part of the series.

Q. And again reflects the 92 zones shown in the previous maps?

A. Yes.

Q. What was the purpose for which—I will withdraw that. What does Exhibit X show?

A. Exhibit X shows the density patterns of 10,469 Anglo-Caucasian students residing in the Pasadena Unified School District in 1973-74.

* * * * *

[280] Mr. Paul: This chart, "Percent of Anglo-Caucasian Students by Years," the difference in number of Anglo-Caucasian students for each successive year is shown below the curve marked as defendant's next in order.

The Clerk: Said chart marked next in order as Defendant's Exhibit AE for identification.

(The exhibit referred to was marked Defendant's Exhibit AE for identification.)

The Clerk: Defendant's Exhibit AE marked for identification and placed before the witness.

* * * * *

[281] Q. What does this chart show, please?

A. This chart was prepared to show that the Anglo-Caucasian enrollment within the Pasadena Unified School District has been declining for approximately 25 years. It reached its peak in 1948 at 90.4 percent of the entire student body. This chart shows year by year decreases until it is now as of this chart shows October 1973, 44.0 percent of the student body.

In addition this chart shows the number of—this chart shows the reduction in numbers of Anglo-Caucasian student enrollment since 1961.

* * * * *

Cross-Examination of Peter F. Hagen, Recalled.

* * * * *

[304] *Cross-Examination by Mr. Flanagan.*

Q. Mr. Hagen, before I get back into this study I would like to ask you a few questions about the maps that have been produced.

[305] Q. So those maps represent the location of all the students in the system?

A. Yes.

* * * * *

[306] A. The maps—each individual year reflects the density or the number of students in each zone in each year.

* * * * *

[362] *Cross-Examination of Ramon C. Cortines, Recalled.*

Cross-Examination by Mr. Landsberg.

Q. Mr. Cortines, you testified that you participated in drawing the Pasadena plan, which is Defendant's Exhibit A, do you recall that testimony?

A. The Pasadena plan?

Q. Yes.

A. Yes.

Q. Is it correct that at the time that you prepared the Pasadena plan you were aware that there was a trend for the enrollment of the school system to become more heavily minority?

Mr. Paul: That calls for his conclusion and no foundation laid.

The Court: The objection is overruled.

The Witness: I was aware of the statistical data that was prepared by the then research office and the superintendent shared it with his cabinet. I was aware of the data which indicated the trend.

By Mr. Landsberg:

Q. And do you recall that on your deposition taken two weeks ago you testified that in helping to devise the plan you took that trend into account?

Mr. Paul: May the witness be referred to the [363] deposition? May we also know the portion to which he is referring?

Mr. Landsberg: Before I refer to the deposition.

Q. Independent of whether you so testified, is it a fact that in drawing the Pasadena plan you took into account the information you had regarding the trend of ethnic distribution in the district?

A. Yes.

* * * * *

[365] By Mr. Landsberg:

Q. Going back to the prior question, I refer you to page 48 of your deposition which was taken on February 11, 1974.

* * * * *

[366] By Mr. Landsberg:

Q. Let me read to you—

A. I have mine in my briefcase if you would like to get them.

"Q. Well, did you ascertain that there was a question of white out-migration prior to the formulation of the Pasadena plan?

"A. Yes, we did.

"Q. And did you take those facts into account in formulating the Pasadena plan?

"A. Yes, we did.

"Q. Can you describe in which way you took them into account?

"A. Well, I think in establishing where schools would be, if the school was going to be a K-3 school and it was going to be—I guess first we took into consideration—pardon me, we took it into consideration when we established the areas relative to looking at an area that would over a period of time have some type of stability relative to the ethnic distribution.

"Secondly, we took it into consideration [367] in—and I will use the word carrying—the K-3 and 4-6 together. In essence we looked at the ethnic distribution of a particular school as it was then and what it would look like under a proposed alternative. We did that with several."

Does that accurately describe the manner in which you took the pattern of white out-migration into account?

* * * * *

Q. Did what I just read to you—is that your testimony?

A. Yes, it is.

* * * * *

[370] By Mr. Landsberg:

Q. Mr. Cortines, do you recall that prior to the implementation of the Pasadena plan the school system had experimented with various forms of free transfer and free choice?

A. I am somewhat—yes, I am acquainted with that.

Q. Do you recall an effort to use the magnet concept at Lincoln school in the 1960's?

Mr. Paul: Objected to as immaterial, 1960, your Honor.

The Court: The objection is overruled.

The Witness: Only from what I have heard I am aware of that particular plan. I was not in the district at that time.

By Mr. Landsberg:

Q. Do you know what the results of that effort were?

Mr. Paul: Objected to as it calls for his conclusion and no foundation laid.

The Court: The objection is sustained .

By Mr. Landsberg:

Q. Mr. Cortines, is it correct that last summer summer school was run on a free choice basis?

[371] A. Yes.

Q. Do you recall what the results in terms of the ethnic enrollment at the schools was?

* * * * *

The Witness: By a visual—yes, I am aware.

By Mr. Landsberg:

Q. What were those results?

A. We do not—I need to explain that answer because we do not have ethnic statistics on distribution on our summer school. We have a numerical count of how many students attended.

But I did attend, visit some of the summer schools and there

were summer school sites where some of them were mostly black and some were integrated and some were mostly white, Caucasian. There was one school that had a high percentage of Spanish surname children.

* * * * *

[372] Mr. Landsberg: Would the clerk please hand the witness Plaintiffs' Exhibit No. Roman numeral XIX.

The Clerk: Plaintiffs' Exhibits Roman numeral XIX before the witness.

By Mr. Landsberg:

Q. Would you look at page 18419. Do you see a series of questions directed to you and your answers, Mr. Cortines?

A. Yes.

Q. Do the minutes accurately set forth questions and your responses?

(Brief pause.)

[373] A. Yes.

Q. Mr. Cortines, turning now to Defendant's Exhibit L, the proposed modification, would it be possible to implement the mini-school approach under the Pasadena plan as it now operates?

Mr. Paul: It calls for his conclusion.

The Court: The objection is overruled.

The Witness: I believe that is a yes and no answer. I would be glad to explain that.

By Mr. Landsberg:

Q. Please.

A. The mini-school program is an incentive kind of program that would be housed at each of the schools in a particular zone. Under the modified plan it is a plan that is designed to have a mini-school program at each of the sites and they would be grades K-6. So in essence it would be a school within a school. That at each K-6 site there would hopefully be a regular school and then there would be a mini-school and parents would have

the opportunity of choosing between those particular schools at that site and/or they would have the opportunity of choosing another mini-school in their particular zone at another school K-6.

Now, the mini-school concept could happen but it would be in essence under the present plan, but it would be— [374] have to be a program that only involved K-3 or 4-6 because of the present Pasadena plan. It would presently because of that, because of the movement allowed, would create problems with some of the special programs that are going on within the district.

For example, Loma Alta is an elementary school at the present time under the Pasadena plan. At the present time it has in effect openings for the parents at that particular school but for those parents only. I believe that that is the concept that the modified plan is built on, only providing parents with a choice to move within a particular zone based on an interest or based on a particular need as they see it.

Q. Are there options available at present in all of the elementary schools?

A. The movement is certainly not as free under the present plan as it is suggested under this particular plan. There is a transfer policy when it improves the ethnic distribution both at the sending and receiving school and/or because of psychological reasons or health reasons students are transferred. Or after consultation with a particular parent and a school official it is felt in the best interest of the student we presently transfer. But certainly there is not the mobility that the modified plan suggests.

[375] Q. Looking at page 2 of Defendant's L, down at the bottom of the page one of the alternatives listed is an early childhood education program. Would that kind of a program fit in better under a K-3, 4-6 grade structure or a K-6 grade structure?

A. Well, in being cognizant of our district it is, I am sure you are aware, that we have two special projects at the present

time. Hamilton and Linda Vista school which are engaged in a model program in early childhood education, we are talking about expanding that particular program, but the early childhood program certainly now does not allow any four-year old into the program. A mini-school at a K-6 site in a particular area would provide some different kinds of configurations than the early childhood configuration at present.

* * * * *

[379] Q. Is it correct that under the proposed modification it is projected that the transportation costs would be higher than they are at present?

* * * * *

The Witness: I believe the statement in my deposition states that based on the information that Dr. Zeronian in a preliminary presented to the Board of Education that they would be either the same costs or slightly higher.

* * * * *

[382] Q. Mr. Cortines, under the present Pasadena plan does the school system also operate a fundamental school and an alternative school?

A. Yes, we do.

Q. When was the alternative school established?

A. Two and a half years ago.

Q. When was the fundamental school established?

A. The fundamental school was opened this past September.

Q. And the purpose of those schools is to offer educational alternatives to students in the district?

A. Is to offer two types of alternatives to students in our district, yes.

* * * * *

[386] *Cross-Examination of Ramon C. Cortines, Recalled.*

Cross-Examination by Mr. Okrand.

Q. Mr. Cortines, my notes indicate on direct examination you testified that you became the Superintendent of Schools in August of 1973. I believe it was in August of 1972, isn't that correct?

A. Yes.

* * * * *

[387] Q. Yes. Do you recall at the board meeting of July 10, 1973 that two acting assistant superintendents were appointed by the Board of Education?

A. Yes, they were.

Q. Who were those superintendents?

A. Mr. Willard Craft, Acting Assistant Superintendent for Schools and Educational Services. Mr. McHale, Acting Assistant Superintendent for Personnel and Support Services.

Q. And to whom do those assistant superintendents report?

A. To me.

[388] Q. And at that same meeting was an Acting Director of Elementary Curriculum appointed?

A. Yes.

Q. What was her or his name?

A. Anna Marie Hession.

Q. And to whom does she report?

A. Mr. Craft, Acting Assistant Superintendent for Schools and Services and to the Superintendent because she serves on the executive council, the Superintendent's.

Q. Are all these of those persons administrators in the Pasadena school system?

A. Yes, sir.

Q. In the making of those appointments were any of them filled from an eligibility list?

Mr. Paul: Objected to as immaterial.

The Court: The objection is overruled.

The Witness: I did not make these appointments so therefore I am—no, they were not to my knowledge

By Mr. Okrand:

Q. Were any of those appointments filled as a result of any examination?

Mr. Paul: Same objection.

The Court: The objection is overruled.

The Witness: Not to my knowledge.

[389] By Mr. Okrand:

Q. Did an evaluation, training and experience committee orally interview any of them?

Mr. Paul: Same objection.

The Court: The objection is overruled.

The Witness: The Board of Education appointed those three employees to the district and I am not—they may have orally interviewed them but no is to the answer if you are talking about staff personnel.

By Mr. Okrand:

Q. Were announcements for those positions distributed to school personnel in the district?

Mr. Paul: Same objection.

The Court: The objection is overruled.

The Witness: No.

By Mr. Okrand:

Q. Were announcements of those positions distributed to college or university placement officers in Southern California?

Mr. Paul: Same objection.

The Court: The objection is overruled.

The Witness: No, sir.

By Mr. Okrand:

Q. Were announcements for those positions distributed [390] to a mailing list recommended by the Department of Inter-Group Relations?

Mr. Paul: Same objection.

The Court: The objection is overruled.

The Witness: No, sir.

By Mr. Okrand:

Q. What is the Department of Inter-Group Relations?

A. Specifically we do not now have a Department of Inter-Group Relations because of different funding, it is through consolidated—it is under consolidated funding. Mrs. Linda Goss has responsibility, and therefore staff members specifically assigned for inter-group services in the district, and Mr. Craft is the Acting Assistant Superintendent and has several personnel in the old inter-group office under another organizational arrangement assigned for inter-group services.

Q. Were announcements for those positions we mentioned attributed to a mailing list recommended by any of the organizations of the district which took over the functions of the Department of Inter-Group Relations?

A. No, sir.

* * * * *

[391] Q. Were announcements of those positions sent to officers of professional organizations?

A. No.

Mr. Paul: May I have a continuing objection to this line of questioning?

[392] The Court: Certainly.

By Mr. Okrand:

Q. Were those appointments approved by you as Superintendent?

A. No, they were not.

Q. Are any of those persons members of minority races?

A. No, they are not.

Q. They are all three Caucasians, are they not?

A. Yes, they are.

* * * * *

Q. Do you recall, Mr. Cortines, that at the meeting of the board of July 31, 1973, there was an appointment made of an acting principal of the Fundamental School and of an acting principal of the Wilson Junior High School?

[393] A. Yes.

Q. And who were those persons?

A. I made those recommendations to the Board of Education. I recommended Mrs. Louise Coover as acting principal for Wilson Junior High School and Dr. Michael Kellner as principal at the Fundamental School.

Q. And are those persons administrators within the Pasadena school system?

A. Yes, they are.

Q. Were either of those positions filled from an eligibility list?

A. No, they were not. They were filled according to district policy.

Q. But they were not filled from an eligibility list, is that correct?

A. That is correct.

Q. Were they filled as a result of examination?

A. No, they were not.

Q. Did an evaluation, training and experience committee orally interview either of them for those positions?

A. The Superintendent did.

Q. My question, Mr. Cortines, was whether there was an evaluation, training and experience committee that interviewed them.

[394] A. Not a committee per se.

Q. Were announcements for those positions distributed to school personnel in the district?

A. No.

Q. Were announcements for those positions distributed to college or university placement offices—

Mr. Paul: Your Honor, we still stipulate that his answers will be the same to this line of questions as to those just asked.

The Court: You accept that stipulation, Mr. Okrand?

Mr. Okrand: Yes, sir.

The Court: All right.

By Mr. Okrand:

Q. And are either of the persons mentioned persons of minority races?

A. No.

Q. They are both Caucasians?

Mr. Paul: That is one of the questions—

Mr. Okrand: Well, I am sorry.

Mr. Paul: —we stipulated.

Mr. Okrand: All right.

I ask to have marked for identification pages 18182 through 18183 and attached statement which is a part of those minutes of Samuel Sheats, dated July 31, 1973 as plaintiffs' [395] next in order.

The Court: Roman XXI.

The Clerk: Plaintiffs' Exhibit Roman numeral XXI marked for identification and placed before the witness.

(The exhibit referred to was marked Plaintiffs' Exhibit XXI for identification.)

(Brief pause.)

By Mr. Okrand:

Q. Did you as Superintendent of the Pasadena School District recommend to t : board the proposed modification plan which has been presented to the court?

Mr. Paul: Immaterial.

The Court: The objection is overruled.

By Mr. Okrand:

Q. I think it is Exhibit L, Mr. Cortines.

A. No, I did not.

Q. As Superintendent of the schools do you recommend the proposed plan in preference to the current plan?

A. I think you are talking about a board policy issue. The Board of Education has established that this is the plan, the majority of the Board of Education, that they desire for the Pasadena Unified School District. It is incumbent then upon the administrative staff of that district to carry out the board policy. [396] I have said publicly that this policy—I mean this plan adopted by the board if approved by the court that I would work to make it successful in the Pasadena Unified School District. It is a matter of board policy, as I see it and interpret it.

Q. My question, Mr. Cortines, is whether you as Superintendent believe the plan to be preferable to the current plan.

Mr. Paul: I think it is immaterial, your Honor, and I object to it on that ground.

The Court: The objection is overruled.

I hate to put you in that spot, Mr. Cortines, but we've got to do it.

(Brief pause.)

The Witness: I believe that the present plan since its inception and implementation—since its implementation has improved and that through the staff effort they have—we have been able together to iron out some of the problems that faced the school district in implementing a completely new plan.

I am cognizant of some of the give-ins under the Pasadena plan, some of its strengths and some of its weaknesses. I believe the plan needs to be modified, the Pasadena plan.

I believe there needs to be some relief from a [397] majority of a minority in any school.

I also believe that the modified plan is educationally sound and provides educational opportunities that are fine and some that are outstanding.

As I have said, I guess it is time, it is a matter of board policy and I feel very strongly about the board regardless of who they are, when they set policy carrying it out. If I had to make my decision, if I were the only one involved I would continue the Pasadena plan with modifications.

* * * * *

VOLUME 3—FEBRUARY 28, 1974.

Direct Examination of David J. Armor.

[Volume 3, Page 405]

[405] DAVID J. ARMOR, called as a witness on behalf of of the defendant, being first duly sworn, testified as follows:

* * * * *

[406] *Direct Examination.*

By Mr. Lane:

Q. What is your address, Dr. Armor?

A. 22041 Pacific Coast Highway, Malibu, California.

Q. Where are you presently employed?

A. The Rand Corporation.

Q. In what capacity are you employed by the Rand Corporation?

A. Senior social scientist.

* * * * *

[408] Q. Dr. Armor, did you conduct a study on academic achievement of students at the Pasadena schools between 1969 and 1973?

A. Yes, I did.

Q. Did that study investigate changes in the student achievement scores during that time period?

A. Yes.

[409] Q. Did the study also compare the achievement of black students with white students throughout that period?

A. Yes. Grades 1 through 11 with the exception of grade 10, which there is no testing administered to.

Q. As I understand it, Dr. Armor, there are two types of testing in this area, one is known as cross-sectional and the

other is known as longitudinal. Would you please define for us the first, what is cross-sectional in your opinion?

A. Well, a cross-sectional study basically examines a group of persons or group of students at one point in time. While it may trace that cohort or group at certain times, the comparisons are generally with different persons.

Q. Could you define for us then longitudinal.

A. Longitudinal study, the way I am using that term, means a study which follows a group of persons or students, in this case over time, the same group over time, to follow their changes.

Q. And in what area did you conduct your study, Doctor?

A. Mine was a longitudinal study.

Q Why did you choose longitudinal in this case?

A. Longitudinal study is required if one is going to make any inferences or conclusions about changes of individuals over time as a result of some particular program.

Q. What did you use to formulate your conclusions?

[410] A. I used statistics compiled by the Pasadena school system concerning test scores from the period 1969 to 1972 or '73 in some cases.

Q. And what material did you receive from the research department of the Pasadena schools upon which you relied?

A. I received from computer printouts which presented the basic data, mean standard deviations and the like for the different panels—longitudinal panels that I followed. These panels I should say are the same panels that are presented in the report by Mr. Hagen.

Q. That is the report which I believe is designated Exhibit AC in this action which is a document entitled "Analysis of Student Achievement Test Scores Between 1969 and 1973 in the Pasadena Unified School District"?

A. That is correct.

Q. So I understand it correctly, Dr. Armor, you used Mr. Hagen's analysis and the basic data underlying the graphs and information provided in his analysis, is that correct?

A. Well, I used the definition of panels from that report. But the Hagen report—but then I used the basic computer printouts which I understand he relied on as well for his report to get the actual numbers that I am going to present.

[411] Q. And did you rely on any additional material other than that provided by the Pasadena School District?

A. Yes. I relied on some test booklets prepared by the publisher of the test that provides national norm information.

* * * * *

Q. Dr. Armor, could you explain to us upon what basis you conducted the longitudinal study with regard to scores or achievements of the students in the Pasadena School District?

A. I relied on the results of testing that is conducted by the Pasadena school system using the cooperative primary reading test and the comprehensive test of basic skills that produces scores for reading achievement and scores for arithmetic or mathematics achievement. These are standardized tests that not only Pasadena but the State of California relies upon to assess achievement in pubilc schools.

Q. And did you compare that information, black students [412] to white students, during the time period I have indicated?

A. Yes.

Q. Is your conclusion based upon that analysis?

A. That is correct.

Q. Could you tell us, please, what conclusion you reached concerning the academic achievement of black and white students that started in grade 1 in 1969?

* * * * *

The Witness: My conclusions for those students in the longitudinal panel entering grade 1 in 1969 and '70, the year prior to the desegregation plan, is there has been no improvement of scores of black students either in comparison to the white students in the Pasadena schools or in comparison to national norms.

* * * * *

[416] Q. Dr. Armor, referring now to students who started grade 4 in 1969, what conclusion, based on your long studies, did you reach concerning the academic achievement as you have described it between black and white students?

A. My conclusion is that there has been no significant change in the reading or the mathematics achievement of black students either in comparison to white students in the Pasadena schools or in comparison to the national norm.

* * * * *

[418] Q. Dr. Armor, referring now to students that started grade 8 in 1969, what conclusion, based on your longitudinal studies, did you reach concerning the academic achievement of those black and white students?

* * * * *

The Witness: My conclusions are that there has been no significant changes in the reading or mathematic achievements for black students during the period from grade 1 to grade 11 either in comparison to white students in Pasadena or in comparison to the national norm.

* * * * *

Cross-Examination of David J. Armor.

* * * * *

[432] *Cross-Examination by Mr. Landsberg.*

[434] Q. What would it take for the black student—the gap between the black achievement and the white achievement scores to narrow over the years?

A. The one standard deviation difference that we see on these charts are extremely consistent with national studies of ethnic differences. It is approximately one standard deviation. If it was that narrow, and let's say became equal, that means that given the fact that gross occurs—most gross occurs in the first ten years of schooling and very little occurs after that, it means that approximately 1/10th of a standard deviation a year would have to be gained by the black students to close the gap.

Q. But you mean that the black students would have to be learning faster than the white students, is that correct?

A. That is correct.

* * * * *

[441] By Mr. Okrand:

Q. Were you present at the meeting on February 19, 1974 of school principals at which Dr. Vetterli was also present, this was just this last week?

A. Two weeks, yes, on goals. Yes, I was. I introduced him.

Q. At that meeting did Dr. Vetterli explain to the principals who were assembled the division of labor that had been marked out for the members of the Board of Education?

The Witness: Yes, he did.

* * * * *

[442] Q. What did he explain?

* * * * *

The Witness: Dr. Vetterli explained to the administrators of the district the roles and responsibilities of the individual board members, Mr. Marcheschi, Dr. Myers and Mr. Newton and himself.

By Mr. Okrand:

Q. And what did he say those obligations were?

A. He especially said that Mr. Marcheschi had responsibility for the suit. He said that he had responsibility for the administrative—he had administrative responsibilities relative to reorganization and direction of the district.

That Dr. Myers had responsbility for the fundamental school and other items.

Mr. Newton had responsibility and interests relative to career education.

Q. What did Dr. Vetterli say was the responsibility of Mr. Sheats?

* * * * *

The Witness: Mr. Sheats was not included in the role [443] in responsibilities.

* * * * *

Redirect Examination of Ramon C. Cortines, Recalled.

[445] *Redirect Examination by Mr. Paul.*

* * * * *

[449] [Q.] In the course of your cross examination you testified, as I recall, that you have, and I believe I am quoting what you said, preferred the Pasadena plan with modifications to the alternative plan which has been proposed by the school board in this case, is that correct?

A. That is correct.

* * * * *

[454] [A.] One of the things that I believe has been successful in the district since I have been there has been many of the alternative programs. Alternative schools as well as alternative programs at the individual schools, elementary, junior high, primarily elementary, junior and senior high schools. We talked about some of the successful models that we had at various schools in keeping and attracting students to our district.

And specifically I discussed the idea of a school within a school, the mini-school concept as it is referred to in the integrated or modified plan.

* * * * *

Examination by the Court of Ramon C. Cortines, Recalled.

* * * * *

[549] The Court: Mr. Cortines, I think you told us the other day that you as an educator thought that because we were a multi-racial society that a multi-racial kind of setting for education was the best in your opinion, is that right?

The Witness: That is true.

The Court: Is that because you are preparing children to live in the multi-racial society on a daily basis?

The Witness: I believe so.

The Court: Would it be your opinion that this multi-racial sort of setting can be provided by some kind of a busing situation in which sister schools were exchanged for a half a day?

The Witness: I do not believe that particular—it is my opinion that that particular aspect of the plan does not provide the kind of interchange among the different ethnic groups that I believe is worthwhile. I think the plan says a minimum of a half a day.

I also am aware that it is an optional basis. I think that that is a step in the right direction but I feel it should be more in my opinion.

The Court: How much more? In other words, when do you arrive at the kind of multi-racial setting that will [550] prepare an individual for living in a multi-racial society?

The Witness: I think that, and I am not avoiding the question, I think that that specific though refers to specific kinds of activities that might not necessarily educationally happen on a daily basis, such as art, music, some kind of an enrichment kind of experience, those don't necessarily happen each day. And I think that is what aspect the modified plan is referring to.

The Court: Can you make any prediction as an educator to what day of the week a student gets the benefit of a multi-racial setting for his education?

The Witness: No, sir.

The Court: Or what the time of day?

The Witness: No, sir.

The Court: Is that an experience that is necessarily limited to a classroom, a multi-racial setting experience?

The Witness: That is certainly primary but other kinds of activities such as on the playground and things like that, lunchtime.

The Court: Let me ask you, Mr. Cortines, you said you had or that the alternative plan provided educational opportunities,

some of which were fine and some of which were outstanding. Do you have a copy of that? That is Exhibit L.

The Clerk: Defendant's Exhibit L placed before the [551] witness.

The Court: I take it that Exhibit A are the educational opportunities that are presented by the alternative plan.

The Witness: Yes. I would want to clarify that these are suggestions. In involving the step in further developing and sophisticating some of these we might find at various schools that there would be completely different ideas based on what they felt was important for the children that would be at their particular school.

I also think that there would have to be some parent input as we began to develop these kinds of programs so that they indeed have the scope of being an incentive, in essence, what the community wanted in a mini-school program.

* * * * *

[554] The Court: Do you have the present ability with teachers and equipment and locations for providing a school in the community career awareness mini-school?

The Witness: We are presently involved in the planning for a major emphasis in a career education, career awareness and exploratory career experiences and career [555] education for the next school year. So we are presently involved in planning for that already regardless of what happens.

The Court: Do you have the teachers and the equipment and the plans to provide an animal and plant life mini-school presently?

The Witness: No, it is under consideration relative to an outdoor education kind of program and sites, but we don't actually have—we don't actually have the sites at this time.

The Court: Do you have presently the teacher capacity and the equipment and the plan to provide a social science-science mini-school?

The Witness: We have some expertise and it would take some modification of classrooms, additional equipment and

some in-service training in this because I would feel that it would need to be more than a surface kind of exposure but an in depth with a hands on kind of social science-science experience.

The Court: And do you have the teachers and the equipment and the plans to provide an early childhood education mini-school?

The Witness: We presentiy have two of the model programs within the state at two of our primary schools which [556] I believe based on our experience this year that next year we could implement a very sophisticated program.

* * * * *

[559] The Court: As I understand it, then, Mr. Cortines, you are presently implementing No. 4 and No. 7, is that right?

The Witness: I think that we have aspects of all nine of these and many more as this particular paper will talk about throughout the system. There is not a consistency and that has created some problems because some schools have said how come we don't have this program or that program.

I will give you an example. Loma Alta, since we have talked about it a great deal, Loma Alta last year had three programs going where parents could choose. It was very interesting because we found a very high morale among parents, among students and among the staff at that particular school. And because parents could choose a nongraded program, fourth, fifth, sixth graders all in the same class, or they could choose a team teaching, or they could choose self-contained classroom programs with some various aspects of a pullout program for some reading, both for accelerated and remediation. Now, there is a particular situation where choices were provided but there was a concern by some other people that they did not have those opportunities and were not allowed to come to that school because there was not room to handle them or it did not improve the ethnic distribution [560] of that school.

The Court: Let me ask you, Mr. Cortines, are there any of these programs you say you have some aspect of all of them,

are there any of these programs that cannot be implemented in the present plan, the Pasadena plan?

The Witness: They can but in a different way because the chronological age grouping is different.

The Court: Well, what I am asking you is whether or not the offerings of the kind of education that are offered by alternatives 1 through 7 cannot be accomplished in the Pasadena School District under the present Pasadena plan?

The Witness: I think I would have to repeat my answer. The answer is yes, but it would not span a chronological age that is suggested by this particular plan which leads to different kinds of educational experiences because of the different chronological ages and experiences they bring with them.

The Court: Do you think that the implementation of this kind of education necessarily depends upon the approval of the alternate plan?

The Witness: Not necessarily.

The Court: So that this isn't a sine qua non of the alternative plan, is it?

[561] The Witness: No, but it is an important aspect as an incentive program to keep and attract people to the district under this plan.

The Court: Under this plan?

The Witness: That is right.

The Court: And the same kind of experiences would attract people to the district under the present Pasadena plan, would it not?

The Witness: I believe so, that is what the exhibit that you just shared with me was all about, to let people know what was actually happening in those schools.

* * * * *

Direct Examination of Jane R. Mercer.

[Volume 3, Pages 588]

[558] JANE R. MERCER, called as a witness on behalf of the plaintiffs, being first duly sworn, testified as follows:

The Clerk: Please state your true name and spell your last name.

The Witness: Jane R. Mercer, M-e-r-c-e-r.

Direct Examination by Mr. Tonken.

Q. Dr. Mercer, what is your home address, please?

A. 7750 Bolero Drive, Riverside.

Q. Where are you presently employed?

A. I am employed at the University of California Riverside as an associate professor in the sociology department there. My specialities are the sociology of education, research methodology and survey research.

Q. Do you teach a course in all those specialities?

A. Yes, I do.

Q. At both the undergraduate and graduate levels?

A. Yes, I do.

Q. Do you have some background in statistical analysis, [589] Dr. Mercer?

A. Yes, I have the usual courses that are taken to get the Ph.D. degree in sociology.

Mr. Tonken: Your Honor, I would like to have marked for identification a document dated February 1973 and entitled "Biography, Jane R. Mercer."

The Clerk: Marked next in order Plaintiff Intervenor's Exhibit No. 20 for identification.

Plaintiff Intervenor's Exhibit No. 20 before the witness.

(The exhibit referred to was marked Plaintiff Intervenor's Exhibit 20 for identification.)

By Mr. Tonken:

Q. Dr. Mercer, is the document which has been placed before you by the clerk an accurate summary of your educational and professional credentials?

A. Yes, it is.

Mr. Tonken: Your Honor, I move the admission of the document into evidence as plaintiff intervenor's next in order.

Mr. Lane: No objection, your Honor.

The Court: 20 in evidence.

(The exhibit heretofore marked Plaintiff Intervenor's Exhibit 20 was received in evidence.)

[590] Mr. Tonken: At this time, your Honor, based upon the information contained in Plaintiff Intervenor's No. 20 I should like to offer Dr. Mercer to the court as an expert in the field of sociology, of education and social research methodology.

The Court: Let me see the exhibit.

(The exhibit was passed to the court.)

(Pause.)

The Court: You may proceed in your questioning on that basis.

By Mr. Tonken:

Q. Dr. Mercer, have you in the past several years conducted studies of school desegregation in the state of California?

A. Yes, I have.

Q. Would you briefly describe the nature of those studies, please.

A. There have been two major efforts, they began in 1965 when the city of Riverside desegregated their schools. A group of us at the university developed a collegium to study and monitor the progress of the Riverside School District as it desegregated its schools.

About four years later we—I expanded the study, the others left, to include all of the major desegregating [591] school districts on the West Coast so that our present work includes about

15 school districts all of which are in the process of desegregating.

We have collected data in those school districts on approximately 40,000 elementary school children, about 8,000 secondary school children.

In addition to this program which we call evaluating integrated elementary and secondary education, we have also studied a sample of school districts in the state of California collecting data on those school districts both by questionnaires and by reading the files of the State Department of Education, Bureau of Inter-Group Relations relating to those districts.

Q. Have your studies of those districts in California included studies of the Pasadena Unified School Districts?

A. Yes. Pasadena has been included.

Q. Would you describe the nature of your study of Pasadena over the past several years, please?

A. Well, it has been included in all of the studies. Pasadena is part of the sample of school districts that we studied statewide from the Bureau of Inter-Group Relations files.

It has also been one of the districts which has been part of our program of evaluating integrated education [592] on a school by school basis for two years. We collected data in Pasadena in the spring of 1972 and once again in the spring of 1973.

Mr. Tonken: Your Honor, I would like to have marked for identification a document, the first page of which is entitled "Mean Number and Percent Black Students in 91 California Unified School Districts With Different Historical Patterns Toward School Desegregation, 1966 to 1971."

The Clerk: Marked next in order as Plaintiff Intervenor's Exhibit No. 21 for identification.

Plaintiff Intervenor's Exhibit No. 21 before the witness.

(The exhibit referred to was marked Plaintiff Intervenor's Exhibit 21 for identification.)

Mr. Tonken: Your Hinor, I have—

Mr. Lane: May we have a minute, your Honor, to locate the document?

The Court: All right.

(Brief pause.)

Mr. Tonken: Your Honor, I have an extra copy of the document. Would the court care to have it?

The Court: Yes, I would like to see it.

(The document was passed to the court.)

[593] By Mr. Tonken:

Q. Dr. Mercer, did you prepare Plaintiff Intervenor's No. 21?

A. Yes, I and my staff at the center on campus.

Q. For what purpose was it prepared?

A. Really for two purposes. As a part of our federal funding we were contracted to do a study of desegregating California school districts to determine whether there were significant changes in the population characteristics of those districts following desegregation.

In addition, some of these tables were prepared and presented as part of testimony in the Indianapolis desegregation case.

Q. Dr. Mercer, would you please explain to the court the categories listed there on the left side of each of the first three pages of the exhibit.

Mr. Lane: Your Honor, we are going to object to this line of questioning on the grounds of relevancy and also foundation.

The Court: What is the relevancy, counsel?

Mr. Lane: Well, your Honor—

The Court: I am not asking you, I am asking him what the relevancy is.

Mr. Tonken: Your Honor, among the school districts [594] that comprise the categories which are outlined in the documents is Pasadena. It is the Government's intent to demonstrate that there has been, as indicated by these tables and charts, there has been thoughout the state of California in a variety of school

districts, both like and unlike Pasadena in terms of demographics, a trend in the direction of loss of percent Anglo-Caucasian population so that Pasadena when compared with the rest of California is not by any means unique in this regard.

The Court: For that limited purpose the objection is overruled.

By Mr. Tonken:

Q. Again, Dr. Mercer, would you explain to the court the categories listed there on the left side of each of the first three pages of the exhibit, please?

A. All right. The 91 school districts in this chart are all of those school districts in the state of California that are unified, that had at least 10 percent total minority population and had at least 2,500 total enrollment in 1971.

From information in the Bureau of Inter-Group Relations files we classified these 91 school districts into the seven categories you see on this chart according to the extent to which they had desegregated their schools during the period 1966 through 1971.

[595] The Bureau of Inter-Group Relations conducts an ethnic survey or did at that time every fall of each district. And then they classified each district according to the number of schools in the district that met the state guidelines. The state guidelines were schools being within plus or minus 15 percent of the districtwide percentage ethnically.

Using those statistics from the State Department of Education we were able to categorize these districts into the seven types.

The first type which had twelve districts we found there were twelve districts that throughout this six-year period had all of their schools in balance according to the state guidelines.

The second group, which contained 32 districts, were districts which were not in balance completely but they did not change during this period and they had over 80 percent of their schools in balance.

The third group, called Stable Medium Desegregation are groups that did not change their ethnic balance in the schools

throughout this period and they were medium desegregated, that is, between 50 and 79 percent of the schools in the district were desegregated.

The Stable Low Desegregation category were districts that also did not change the ethnic balance in the schools [596] during this period but they were highly desegregated. They had over 50 percent of their schools which did not meet the state guidelines.

The next category called Large Change Toward Desegregation there were 15 school districts in that group, Pasadena being one of them, were schools districts which during this six-year period balance 30 percent or more of their schools, thus they went through comprehensive desegregation.

The next category containing nine school districts were districts where there was a slight change toward desegregation during this time where they desegregated 29 percent or less of their schools, brought them into racial balance during this six years.

And then we had this final residual category of five districts that in fact became more segregated during the six years so that they had more schools out of balance at the end of the six years than in the beginning.

Q. Thank you.

Would you explain the meaning of the words "mean number" on the first three tables.

A. All right. The mean number means that this is the average number of students enrolled in these school districts during these years, in this case, black students in the first chart, according to statistics from the State Department of [597] Education. Thus we get the average size of each of these districts in their black populations.

Q. Would you explain how you went about arriving at the numbers listed on the three tables which are the first three pages of the exhibit under the heading Mean Percentage.

A. Mean percentage is the average percentage of black population in these districts of different types. You will note

that the average percentage differs somewhat across these different categories.

Q. I do not quite understand. How is the average percentage calculated?

A. It is based on the hundred percent of the district population so that the base is a hundred percent which would be the total population of the school district and then the percentage of that which is black.

Q. I take it that that method of calculation is the standard method used by persons attempting to make studies of this sort?

A. It is the method used by the BIR, that is the Bureau of Inter-Group Relations as they report school districts by percent black, percent Spanish surname, percent other-white and—

Q. Of the total?

A. Of the total, yes.

[598] Q. Dr. Mercer, would you tell the court what the six charts or figures are which follow the first three pages of the exhibit?

A. The first chart shows the black students in these categories. The second Spanish surname students. The third the other-white students.

Now, on the fourth page we have presented these statistics in visual form. And the paper which is used on this fourth page is a logarithmic paper, it adjusts for the fact that some of these districts are larger in size than the other. But you can visually look at the curves over time, that is the trends over time in these districts.

Now, this is based on the historical patterns of the black students, the total population of black students.

As you look at this chart you will note that these lines are very close to parallel indicating that the percentage increase in black students occurred in districts of all types with some desegregating, some stable, some becoming more segregated, and that there was a slight increase in the percentage black. This is merely a pictorial representation of the numbers on the earlier charts.

Q. And the next chart would be the same as to Spanish surname students?

A. That is right. And you know the Spanish surname [599] population in all types of districts was increasing over this six-year period.

Q. All right. Now, Dr. Mercer, turning to the table which constitutes the last page of the exhibit, would you briefly explain for the court the word "Significance" which appears at the head of the last column on the right side.

A. Would you mind if I were to call attention to the one chart that we skipped on the other-white, it is quite relevant to this testimony?

The lines for the other-white students you will notice begin to decline rather sharply about 1969. They remain relatively stable from 1966 to 1969. And you will notice that in all types of districts there begins a slight downward trend in the percentage of white students in the districts.

Mr. Lane: Your Honor, that does not appear in the copy that Mr. Tonken has here that I am looking at.

The Court: Is that mean number of other white students in 91 California—

The Witness: Right.

The Court: —Unified School Districts with different historical patterns 1966, 1971?

The Witness: Yes, it is in mine. Perhaps that is a page that is not in yours.

[600] Again that is merely a pictorial representation of the numbers on the other chart.

Mr. Tonken: All right.

Q. Let's turn, if you will, to that word significance. I would like you to explain what the word means in the context of this study.

A. This is in the last chart?

Q. Yes.

A. All right.

The very last page attempts to summarize the most important data in this study. It shows the mean percent other-white students in the other 90 California school districts and it does a statistical test called a two-way analysis of variants. Now, this is a statistical test to determine whether the differences in these percentages would likely have occurred by chance or whether they probably are not due to chance. The term "significance" is the actual probability level that these differences occurred by chance. So we will note that under Significance it says .001. This means there is only one chance in a thousand that changes in percentages on that first line would have occurred by chance. The first line shows a drop from 76 percent to 71 percent in white students in the always balanced district.

.001 means that would occur one time in a thousand [601] by chance.

[601] Q. Is one time in a thousand a lot of times for your purposes as they—

A. No, that is very significant meaning it is a very low probability that this is a chance occurrence. And this would usually be accepted, in fact the usual custom is to accept anything that will occur less than five times in a hundred by chance as being a reliable finding. In my own—

Q. Indicating a very small probability of chance?

A. A very small probability of chance, right.

Now, the particular significance of this chart is not only that the percentages have dropped significantly in all types of school districts. You will notice an average of 5 to 6 percent which is a rate of about 1 percent a year. But also you will notice in the footnote it says the interaction term for this analysis is 1.37 which is not significant, meaning that there is no significant interaction between the type of district, that is whether the district was desegregating and the extent to which the population of other white students was decreasing. I consider that the most significant finding on this table.

Q. Fine, Dr. Mercer.

Your Honor, I would offer Plaintiff Intervenor's No. 21 into evidence.

[602] Mr. Lane: Your Honor, just the same objection we had before as to relevancy.

The Court: Doctor, before we do that, are the first three pages all supposed to add up in the last column or between the three of them to a hundred percent?

The Witness: No, they wouldn't because this is the percentage black. For instance, in 1966 the percentage black in the always balanced district is 4 percent. It remained 4 percent in '67, 4 percent in '68, then it went up to 5 percent in '69-70 and '71. They would not add up to a hundred percent necessarily.

The Court: No, I am asking you is whether page 1, 2 and 3 in each column—

The Witness: I see what you mean.

The Court: —each category should add up to a hundred.

The Witness: They won't add up completely to a hundred because this does not take into account Filipino, Asian, American Indian and other students. We are only looking at these three categories, the Spanish surname, black and other-white. So it should come close to a hundred percent but it wouldn't necessarily.

The Court: Would they be off as much as 16 percent?

[The Witness: Well, let's see. The first one in '66—

[603] The Court: Why the large change in '71?

The Witness: The large change toward desegregation. So we have 16 percent black, 19 percent Mexican-American and that would be 35 percent and 59 percent other-white, 35 and 59 would be 84—about 94. Yes, 6 percent would be possible for the other part of the percentage.

The Court: All right.

Mr. Lane: Your Honor, may I inquire as to which page Mrs. Mercer was just referring to.

The Court: Pages 1, 2 and 3, the addition of the three percentages for 1971 for large change toward desegregation.

Mr. Lane: Thank you.

The Witness: You would expect these to come close to a hundred percent. To the best of my knowledge they are accurate and they should come up within a reasonable percentage.

The Court: All right.

The objection is overruled. 21 in evidence.

(The exhibit heretofore marked Plaintiff Intervenor's Exhibit 21 was received in evidence.)

* * * * *

[608] The Court:

Let me ask you the same question I asked Dr. Dilworth, Dr. Mercer.

[609] Can you tell from these numbers why people leave a school district?

The Witness: No, you can't tell. The only way that it would be possible, and that is why I am not doing any studies of white flight, the only way to answer the question, do people leave school districts because they have desegregated would be to conduct a survey where in fact you interviewed people who were moving away and say why are you moving out.

Since such data does not exist to my knowledge anyplace the only recourse we have is to look at the statistical trends over time and try to determine whether there are significant differences between districts that desegregated, those that don't and then make some inferences.

The other type of data would be desirable but unfortunately nobody did those kinds of studies at the time and now it is historic and there is no way to get that data.

By Mr. Tonken:

Q. Dr. Mercer, showing you a chart entitled "Figure 8 Percent Other-White in Public School Population of Pasadena Unified School District 1966 Through 1973, Compared with California Public School Population Estimates After 1969."

I ask that this be marked for identification.

The Clerk: Marked next in order as Plaintiff Intervenor's Exhibit No. 23 for identification.

[610] Plaintiff Intervenor's Exhibit No. 23 before the witness.

(The exhibit referred to was marked Plaintiff Intervenor's Exhibit 23 for identification.)

Mr. Tonkin: Your Honor, would you like a copy of this also?

(The exhibit was passed to the court.)

By Mr. Tonken:

Q. Did you at my request prepare this chart?

A. Yes, I did.

Q. Would you explain, please, the process of its preparation?

A. This is a closer look at the trend line for Pasadena. This line extends back to 1962.

The purpose of going back to 1962 to get the trend line for other-white is to establish a rather long series of years so that the average would be stable, that is why we went back to '62. So that it shows the trend other-white between 1962 and 1973 in Pasadena, that is the solid line on that chart.

Q. What is the—well, let me ask you something else first. What is the source of the data contained in the chart?

[611] A. It is the same source as for the other charts, the Bureau of Inter-Group Relations statistics.

Mr. Lane: Your Honor, then we are going to make the same objection as to relevancy and foundation.

The Court: The objection is overruled. All it shows is a trend, that is all. And that is the only reason it is offered. The objection is overruled.

By Mr. Tonken:

Q. Would you explain, Dr. Mercer, I think you have explained the solid line there on the chart, would you please explain the other two lines that seem to branch from it.

A. All right. The dashed line is an estimate. And as I mentioned earlier, we don't have any survey data so the purpose of this was to make an estimate of what the percentage other-

wise in Pasadena would have been in 1973 if the trends established between 1962 and 1969 prior to desegregation had simply extended on into the future. So this is making an estimate of the trend had it continued as it had prior to desegregation, what would the estimated percentage other-white be in Pasadena be in 1973.

And this chart shows that we would have estimated it would have been about 51 percent on just a straight line projection.

Just to explain that a little more clearly, in the [612] years prior to 1969 the other-white population of the Pasadena schools was declining at the rate of about 2.1 percent a year. All we did was continue that line at the rate of 2.1 percent a year into 1973 and we'd say, well, our best guess would have been if that trend had continued unchanged that there would have been about 51 percent other-white in the Pasadena public school population in 1973.

Q. And the dotted line?

A. Now, the dotted line takes into account the fact that statewide in California the other-white population has been declining.

You remember in my looking at the earlier charts I indicated that about 1969 the white population in California in all other school districts began to decline at the rate of about 1 percent a year. If we assume that that rate would have also occurred for whatever reason it occurs statewide in Pasadena then we would project another trend line where we would add an additional 1 percent a year drop to take into account the statewide trend. And in that case we would project for 1973 an other-white population in Pasadena of about 47 percent. These are two different estimates.

Mr. Tonken: May I have just a moment, your Honor?

The Court: All right.

(Brief pause.)

[613] Mr. Tonken: Your Honor, I would like to offer the chart into evidence as plaintiff intervenor's next in order.

The Court: Any objection?

Mr. Lane: The same objection, your Honor, as to relevancy and foundation.

The Court: The objection is overruled.

For the limited purpose of showing trends, not for any other reason, 23 in evidence.

(The exhibit heretofore marked Plaintiff Intervenor's Exhibit 23 was received in evidence.)

By Mr. Tonken:

* * * * *

Q. Dr. Mercer, showing you a document entitled "Evaluating Integrated Education in Multi-Ethnic Elementary Schools, Pasadena Unified School District, Spring 1972-1973." the document is dated January 1974.

I would like to have this marked for identification, please.

The Clerk: Marked next in order as Plaintiff Intervenor's Exhibit No. 24 for identification.

Plaintiff Interenvor's Exhibt No. 24 before the witness.

(The exhibit referred to was marked Plaintiff's Exhibit 24 for identification.)

Mr. Tonken: Your Honor, a copy for you.

[614] (The document was passed to the court.)

By Mr. Tonken:

Q. Dr. Mercer, did you prepare this document?

A. It was prepared under my direction.

Q. At whose request was it prepared?

A. It was prepared at the request of the Pasadena Unified School District.

Q. And for what purpose was the document prepared?

A. This document is a report of the evaluation of integrated education in the elementary schools at the Pasadena Unified School District which was conducted by my staff at the center in Riverside.

Q. What characteristics of the Pasadena schools does the document report?

Mr. Lane: The document speaks for itself, your Honor.

The Court: The objection is sustained.

By Mr. Tonken:

Q. Dr. Mercer, without interpreting or evaluating the data that is contained in the document would you please explain to the court how to, I'm not sure how to phrase this, your Honor, I intended to ask the witness to explain to the court how to read the document. It is rather technical and complex.

[615] Mr. Paul: He shouldn't make my mistake, your Honor.

The Court: I hope he doesn't.

Mr. Paul: That nun will be looking down on him too.

The Court: He may need her help too.

By Mr. Tonken:

Q. Since the document is rather technical, Dr. Mercer, would you please explain how to approach the charts contained in it.

A. All right.

As I mentioned earlier, we are evaluating elementary education in about 15 school districts. Thus we have developed a standard form of reporting for findings back to each of the school districts. This is what you see in our standard format.

The data is collected from students and from teachers. The questionnaires are optically scanned, run through the computer and these profiles that are in the document are produced by the computer on the Riverside campus.

This particular report on the profile, if we take say the first profile in this document, it presents the scores, for example, on self-esteem for the black, Anglo, Mexican-American and Asian-American children in the Pasadena School [616] District in the spring of 1972.

The X's on the line represent pictorially where the scores for those four groups of youngsters fell.

The horizontal line down the middle shows the median score based on the standardization sample that we tested originally

in establishing the norm for this test. The extent to which those score are above or below that line is some measure of the quality of education. These charts attempt to measure both the quality of educational environment and the equity in the educational environment.

Quality is measured by the extent to which the scores are above or below the norm. Equity is measured by the extent to which the scores of children of different ethnic groups are similar. It is our philosophy that in an integrated school there will be both quality and equity in the educational program.

Now, to the right of the profiles we present a one-way analysis of the variants. And this tells us statistically whether the differing scores of the children of differing ethnic groups would be likely to have occurred by chance. We don't want to be interpreting things that are of no importance.

We see that for the Pasadena School District on this first chart that only one time in ten thousand would such [617] differences occur by chance when this number of children have been tested and we would accept that as a stable finding.

Immediately below the data for 1972 is presented the same information collected in the spring of 1973. A person can visually look at the scores in 1972 and look at them in 1973 and can visually make a comparison. However, we can't count on just our visual comparisons because that could be in error. So consequently we conducted another statistical test in which we compared the scores in 1972 with those in 1973 to determine whether there had been any change over that one-year period. And that is the information reported immediately below each of these charts. And the significance levels are given. As you can see the charts are relatively complex, however, they do provide a tremendous amount of information when they are studied carefully.

I think other than that the document does speak for itself. I hope it does, we worked very hard to make it understandable to the person who is not necessarily trained in statistics.

Mr. Tonken: Your Honor, I would like now to have marked for identification a table entitled "Number of Statistically Significant Changes Between 1972 and 1973 on Student Measures for the Pasadena Unified School District Reported by Total District and for 25 Elementary Schools by [618] Ethnic Group."

The Clerk: Marked next as Plaintiff Intervenor's Exhibit 25.

Plaintiff Intervenor's Exhibit No. 25 before the witness.

(The exhibit referred to was marked Plaintiff Intervenor's Exhibit 25 for identification.)

Mr. Tonken: And one for the court.

(The document was passed to the court.)

By Mr. Tonken:

Q. Did you at my request prepare the table which you have just been handed?

A. Yes, I did.

Q. Does the table relate to the study entitled "Evaluating Integrated Education in Multi-Ethnic Elementary Schools" which has been marked for identification which we just finished looking at?

A. Yes, it does relate to that study.

Q. In what way does it relate to that study.

A. First I must explain that these profiles which have been presented in evidence for the entire school district that we developed a set of profiles for each individual school in the district. Now, that would have been too much to present in evidence but for each individual school there is a set of [619] profiles that is similar on a school by school basis.

This chart attempts to summarize in a rather succinct way what significant changes were in the district between 1972 and 1973. And in the 25 schools that were studied how many of those schools showed significant changes in that one-year period on these various measures.

Now, for example, for black children the district measures that there was no change in the self-esteem score that was significant. No change in the reflected self score. However, there

was a significant change on the anxiety scores. The plus at the top of the column indicates that it was a positive change. It was a change in a positive direction. If it had been a negative change it would have appeared under the minus direction. So this indicates that the black students in Pasadena had significantly less anxiety as measured by their responses to our questionnaire in 1973 than 1972, which we would consider a positive change.

On no other measures in this chart did we find a significant change for black students at the district level.

Now, if we look at the next column this looks at the 25 schools which we measured and simply reports the number of schools that showed a change in these measures.

Now, for example, a self-esteem score—let me explain why these numbers don't match because I am sure your [620] Honor will ask me that question.

That there were only 24 schools in which there were enough black children to calculate scores. We only calculate scores if there are at least ten children who complete the questionnaire. So while there were 25 schools in the sample in all there were only 24 schools in which there were scores for black children and, in fact, there were only twelve schools in which there were scores for Mexican-American children. This merely reflects the fact that all schools do not have a significant number of Mexican-American children. You notice under Anglo-American children I hope all the columns add up to 25, they are supposed to.

Going back with that explanation with, say, self-esteem for black children, it shows that there was no change, no significant change in any of the individual schools nor in reflected self. There were positive changes in anxiety. One school in status anxiety, in two schools in school anxiety.

Mr. Lane: Your Honor, doesn't this document speak for itself?

The Court: It does not explain itself.

The Witness: I would think that the major thing that this docunment indicates, if you will look at the total at the bottom of the page is that it—

[621] The Court: Let me ask you, in attitude to school you have under black, for instance, a 1 and a 2, 1 in the plus and 1 into the minus column. What significance does that have?

The Witness: That means in one school black children scored significantly more positively in their attitude toward school in '73 and '72. But in two schools they were significantly more negative.

Now, the reason for our doing this, and we don't ordinarily prepare this type of chart, is we take these profiles back to each individual school staff and they look at the profile for their school. They think about the learning environment in the school. We hope that as a part of our conversations with them they will begin to set goals and move toward integrated learning environment.

The major finding on this it seems to me is that there has been tremendous stability in the school district over this one-year period. There are relatively few of these measures that have changed in either positive or negative direction. There is certainly no indication of serious problems in the school district as far as change over time.

By Mr. Tonken:

Q. In terms of the categories that are studied in the exhibit which has been marked for identification and which we [622] looked at just prior to this one.

A. Right.

Mr. Tonken: Your Honor, I offer both exhibits into evidence.

The Court: Any objection?

Mr. Lane: Your Honor, we fail to see the materiality of Exhibit No. 24, that is the big one, and as to 25 again foundation, your Honor, and materiality.

The Court: Mr. Lane, you are telling me the court should not be interested in what is happening educationally in Pasadena?

Mr. Lane: No, your Honor, I am not.

The Court: That is what this is supposed to tell me, isn't it?

Mr. Lane: As I understand it, your Honor, it is an attitudinal study rather than educational.

Mr. Lane: That is it.

The Court: Don't you think the court should be interested in what is happening educationally in the district?

Mr. Lane: Yes, your Honor, I do think you—

The Court: Don't you think I should be more interested [623] in that than almost anything?

Mr. Lane: I think that is an important consideration for the court.

The Court: All right. 24 and 25 in evidence.

(The exhibits heretofore marked Plaintiff Intervenor's Exhibits 24 to 25 were received in evidence.)

By Mr. Tonken:

Q. Dr. Mercer, have you read the defendant's proposed modification to the current plan, that is the alternative plan that has been proposed?

A. Yes, I did.

Q. In your studies of school desegregation in California have you had occasion to study other school districts which have attempted to implement plans similar to the defendant's alternative plan?

A. Yes, we have.

Q. Is one of those districts the San Bernardino School District?

A. Yes, San Bernardino and Richmond have both tried voluntary open enrollment plans.

Q. Would you tell the court what your involvement has been with the San Bernardino School District and its desegregation efforts?

[624] A. San Bernardino was one of the school districts in our sample, and over the years I have served as a consultant to the school district. In fact, I am supposed to be there tonight to talk to the school board. So I have had continuing involvement in San Bernardino.

Q. I take it that you have collected data over the years on San Bernardino?

A. We have systematic data more recently but on a basis of consultation earlier.

Q. You have served as a consultant to the San Bernardino schools?

A. Yes.

Q. Would you describe the desegregation plan which San Bernardino implemented.

Mr. Lane: I object to that on the grounds of materiality and relevancy.

The Court: Wouldn't it be interesting to know whether or not the plans can work or it is being used? Wouldn't they be interested in that?

We will take that up at 9:30 tomorrow morning so that you can be there.

The Witness: Thank you.

(Whereupon, at 5:30 p.m. an adjournment was taken until 9:30 o'clock a.m., Friday, March 1, 1974.)

VOLUME 4—MARCH 1, 1974.

Direct Examination of Jane R. Mercer, Continued.

[Volume 4, Page 628]

JANE R. MERCER, called as a witness on behalf of the plaintiffs, having been previously duly sworn, resumed the stand and testified further as follows:

Direct Examination (Continued) by Mr. Tonken.

Q. Dr. Mercer, do you recall that when we left off yesterday afternoon I was asking you about the desegregation effort in San Bernadino County, California.

A. Yes.

[629] Q. We had established that you had read the defendant's proposed alternative plan, is that correct?

A. That is correct.

Q. Now, put our discussion of San Bernardino in perspective, would you tell the court again, please, about the nature of involvement with San Bernardino and its attempt at desegregation.

A. San Bernardino was one of the school districts that is part of our larger sample that I discussed yesterday. But even prior to their becoming part of that they—I had served as a consultant to the district. I had known the superintendent and his staff over a long period of time and been in and out of the district.

One thing I did neglect to mention was that I served as a witness in a San Bernardino desegregation case so that I had access to the documents from the district that were a part of that case so I am quite familiar with the internal workings of the district.

Q. You and your staff have been compiling data from the district?

A. Yes, we have been from the district.

Q. Would you please describe the desegregation plan which San Bernardino implemented?

Mr. Lane: Your Honor, I am going to object on the [650] grounds of lack of foundation that the plan in San BeBrnardino is similar to the alternative plan in Pasadena. And, secondly, on the grounds agin of relevancy.

The Court: The objection is sustained on the grounds of foundation.

By Mr. Tonken:

Q. Dr. Mercer, would you tell the court—

The Court: What was the San Bernardino plan, what did they do?

The Witness: Ours is similar to Pasadena, I will be glad to answer that question.

The San Bernardino plan was essentially a voluntary open enrollment plan in which the school district provided transportation for any students who wished to go to another school as long as it would improve the racial and ethnic balance.

They also made strenuous efforts to improve both by improving the physical facilities in the programs, in the money spent in the black ghetto schools to improve the program. They did not call this a magnet school program. They didn't have that sort of a name but they made a very strenuous effort to make the schools in the black community attractive. And so in that sense it was similar that it is a voluntary open enrollment. They call it a controlled open enrollment [631] plan. The district provided the transportation.

They hired a special person, called in an Inter-Group Relations man who had sole charge of implementing this and they gave him a staff of people to work with him.

They recruited especially in the minority community. They went house to house to try to get people to participate in the plan.

I think in that sense it is quite similar to what Pasadena is proposing.

Mr. Lane: I move to strike the last statement of the witness.

The Court: That will go out as a conclusion of the witness.

By Mr. Tonken:

Q. Dr. Mercer, have you studied and compiled data on the results of the plan in terms of the number of students who took advantage of the opportunity to desegregate under the plan?

A. Yes. I have two sources of data. The total number of minority students in the district which comes from the State Department of Education files, and the total number of students who participated over about a seven-year period which is information that was provided by Dr. Lou Bonney who is the research director for the district. And those numbers [632] are also on file as part of the court case over there so I feel they are quite accurate since Bonney submitted them to the court at that time.

Mr. Lane: Your Honor, may I enter an objection at this time to the witness continuing to editorialize as to each question instead of answering the question that is asked.

The Court: Yes, Doctor.

The Witness: I will be more careful.

By Mr. Tonken:

Q. So you have compiled data on the results of the plan. Dr. Mercer, what were the result of the plan?

Mr. Lane: Your Honor, I would like to interpose an objection again at this time as to the relevancy and foundation as to the similarity to the Pasadena plan. As I understand the testimony of the witness there are no alternatives as suggested in the Pasadena alternative plan. It is limited to the black neigh-

borhoods and not throughout the district. Therefore, your Honor, we submit that it is not proper testimony.

The Court: That objection is overruled.

All right, Doctor.

The Witness: And that was not quite accurate. It was not limited to the black community.

The Court: That is all right, Dr. Mercer.

[633] The Witness: All right.

By Mr. Tonken:

Q. What were the results, Dr. Mercer, of the plan in terms of the number of students who took advantage of the opportunity?

A. As I recall the statistics that you have on the chart, I believe the largest number of students who ever participated was around 1,500, which was approximately 15 percent of the minority population. At no time did any white students participate in the program or volunteer, though it would have been open for them to transfer if they wished.

Mr. Tonken: Your Honor, I would like to have marked for identification a document entitled "Participation in Controlled Open Enrollment Program, San Bernardino City Unified School District, 1967 to 1973."

The Clerk: Marked for identification as Plaintiff Intervenor's Exhibit No. 26.

Plaintiff Intervenor's Exhibit No. 26 before the witness.

(The exhibit referred to was marked Plaintiff Intervenor's Exhibit 26 for identification.)

By Mr. Tonken:

Q. Dr. Mercer, did you prepare that document on the basis of the data which you have compiled in San Bernardino?

[634] A. Yes, I did.

Q. Dr. Mercer, have you in the course of your studies of school desegregation in California had occasion to study the desegregation efforts of the Richmond, California Unified School District?

A. Richmond was part of the statewide sample of districts that I referred to yesterday. The information we have on the Richmond School District comes from the state ethnic survey from a questionnaire which the school district completed for us as part of our study and from the files of the Bureau of Inter-Group Relations.

Q. Would you describe the similarities between the Richmond, California school district desegregation effort and the defendant's proposed alternative plan?

A. The history of the Richmond effort was essentially as follows. Following a court order they were ordered to comprehensively desegregate the district. There was a recall and they set up a cross-busing program for comprehensive desegregation. There was a recall election. The new board which was elected following the recall set up a voluntary open enrollment program and set aside the comprehensive desegregation program which had been voted upon which had not actually been implemented by the previous board.

Under the voluntary program they had open enrollment [635] voluntary cross-busing. The district provided the transportation. Once again they made strenuous efforts to make especially the schools in the minority neighborhoods quite attractive.

They went back into court. They were taken back into court on the basis of the voluntary plan. The judge in that case permitted them to go ahead with the voluntary plan and held back the final order to determine whether the voluntary plan would be successful.

As I understand it, that case is still pending.

Mr. Lane: I would like to move to strike the last portion of the witness's testimony being nonresponsive to the question.

The Court: The objection is overruled.

Mr. Lane: The best evidence, your Honor, as to what the court did or did rule.

The Court: On that ground the motion is granted.

By Mr. Tonken:

Q. Dr. Mercer, you and your staff have been compiling data on the Richmond School District?

A. Yes, the data that I mentioned.

Q. Have you compiled data or studied the results of the Richmond plan in terms of the numbers of students who took advantage of the opportunity to desegregate there?

[636] A. We have data over a three-year period. I believe it ends in 1972 as I recall the chart.

Q. And what was the source of the data?

A. It came from the school district itself and from the Bureau of Inter-Group files.

Q. And what were the results of the effort to desegregate in Richmond?

Mr. Lane: Your Honor, I am going to object again at this time as to relevancy as to Richmond as to Pasadena, its operation of the alternative plan as suggested to the court.

The Court: The objection is overruled.

Mr. Lane: Also, your Honor, it calls for a conclusion and no foundation laid.

The Court: The objection is overruled.

By Mr. Token:

Q. What were the results of the desegregation effort in terms of the number of students who took advantages of the opportunity?

A. In the peak year on that chart I believe about 11 percent of the minority students participated in the open enrollment plan. And at no time did any white students petition to become involved in the plan.

Mr. Token: Your Honor, I would like to have marked [637] for identification a document entitled "Participation in Voluntary Open Enrollment Program, Richmond Unified School District 1969 to 1972."

The Clerk: Marked for identification as Plaintiff Intervenor's Exhibit No. 27.

Plaintiff Intervenor's Exhibit No. 27 marked for identification and placed before the witness.

(The exhibit referred to was marked Plaintiff Intervenor's Exhibit 27 for identification.)

By Mr. Token:

Q. Dr. Mercer, did you prepare the document which the court has just given you?

A. Yes, I did.

Q. On the basis of the data you have compiled?

A. Yes, I did.

Mr. Token: Your Honor, for the purpose of illustrating numerically the results of the voluntary desegregation in both these districts I offer Plaintiff Intervenor's Nos. 26 and 27 into evidence.

The Court: Any objection?

Mr. Lane: Your Honor, the same objection as to relevancy and foundation.

The Court: The objections are overruled.

26 and 27 in evidence.

[638] (The exhibits heretofore marked Plaintiff Intervenor's Exhibits 26 and 27 were received in evidence.)

Mr. Tonken: Your Honor, I wonder at this time if I could have Defendant's Exhibits AK, AL and AN before the witness and before the court.

The Clerk: Defendant's Exhibits AK, AL and AN before the witness.

Mr. Tonken: Could we set them up so they could all be seen at the same time, please.

Q. Dr. Mercer at my request have you studied Defendant's Exhibits AK, AL and AN?

A. Yes, I did.

Q. Are you familiar with the term cumulative deficit?

A. Yes, I am.

Q. Could you explain to the court what the term means?

A. Cumulative deficit is a term that is used to describe the characteristic of the growth of minority children in segregated schools which has been found in social science research that is the fact that the further they go through the school system the further behind they tend to become in their educational development as compared to white students. In other words, they grow at a slower rate than white students so that the longer they are in the school system the further they are behind so that it becomes a cumulative deficit.

[639] Q. Do you see any evidence of a cumulative deficit in Defendant's Exhibits AK, AL and AN?

A. I found one of the most interesting things about this particular chart which Dr. Armor neglected to point out was that if you will focus—

The Court: You are editorializing.

The Witness: I am sorry.

If you look at the years 1969 and 1970, that is the year prior to the desegregation, statistics in those years represent the outcome of education in the segregated schools in Pasadena. So this gives us data on how well students were achieving in the Pasadena schools as a result of the desegregated program since this is the base line year.

Now, I would like, your Honor ,to note, if you will, if you look at grade 1 achievement and compare the black children who are in the red on that chart with the achievement of the white children that are in the triangles that the black children in grade 1 in the segregated schools were 8/10ths of a standard deviation behind the white children, that is in grade 1.

By Mr. Tonken:

Q. That is this?

A. 8/10ths of a standard deviation behind.

Now, we look at the grade 4 children in the segregated [640] schools and we have to go to this chart over here. You will note that the black children were 1.1 standard deviation behind the white children by the time they got to grade 4.

Then we go up to grade 8 and look once again at the 1969 statistics. The black children are 1.2 standards deviations behind the white children. In other words, in the segregated schools they were getting further and further behind the white children the further they went, which is evidence of a cumulative deficit which was developing in the system at that time.

Q. Do you see evidence of a cumulative deficit elsewhere in Defendant's AK, AL and AN?

A. Well, no, that would be the evidence of the cumulative deficit. You would have to take that as the base line data.

Now, you note since desegregation, and Dr. Armor testified to this fact and I would agree with him, that since desegregation the chilren have been growing at the same rate of speed. That is, there has not been any cumulative deficit. That in fact over the three-year period under the Pasadena plan the minority children have grown at the same rate. The lines are parallel. So it seems to me that since desegregation that in fact the cumulative deficit apparently existed in the segregated schools has disappeared which would be distinctly [641] a net gain. There aren't too many districts claimed to have achieved that.

Mr. Lane: I am going to move to strike that answer as being nonresponsive to the question asked by counsel.

The Court: The motion is denied.

Mr. Tonken: May I have Defendant's Exhibit AM and AO.

The Witness: There is one other thing I would like to point out to your Honor, if I might, before the charts are taken off.

The Court: There is no question pending, Doctor.

The Clerk: Defendant's Exhibits AM and AO before the witness.

By Mr. Tonken:

Q. Dr. Mercer, have you studied Defendant's Exhibits AM and AO at my request?

A. Yes, I did.

Q. Do you see any evidence of a cumulative deficit in Defendant's AM and AO?

A. Yes, I do. These charts show math achievement. If you will analyze them in the same fashion as I suggested for the reading charts, look at the year 1970 in grade 4, black children were one standard deviation below the white children in Pasadena. But by grade 8 they were 1½ standard, [642] 1.4 standard deviations behind the white children in Pasadena in 1969, distinct evidence of a cumulative deficit in math achievement.

However, after the implementation of the Pasadena plan the lines become parallel.

Mr. Lane: Your Honor, I object to the last portion of the witness's statement as being volunteered.

The Court: The objection is overruled. Motion denied.

Mr. Tonken: Your Honor, that is all the questions I have for Dr. Mercer.

The Court: Cross-examination.

Mr. Lane: Yes, your Honor.

Cross-Examination of Jane R. Mercer.

Cross-Examination by Mr. Lane.

* * * * *

[644] Mr. Lane: Your Honor, may I have placed before the witness Exhibit 21.

The Clerk: Plaintiffs' or plaintiff intervenor's?

Mr. Lane: Plaintiff Intervenor's Exhibit No. 21.

The Clerk: Plaintiff Intervenor's Exhibit No. 21 before the witness.

By Mr. Lane:

* * * * *

[647] Q. The thrust of my question is this. If in 1970 the number of black children throughout increased throughout the 91 school districts, increased, and the number of Spanish surname children throughout the 91 districts increased, your percentage as shown on page 3 of other-whites, even if it remained constant, would decrease, isn't that true, as a percentage of the whole?

A. Sure that is true.

Q. Referring again to page 3 of Exhibit 21, Dr. Mercer, doesn't your analysis show that the school districts, the largest change toward desegregation experienced the highest rate of white loss among the categories listed?

A. No. In fact, it does not show that. I mean you cannot just look at trends and say, well, one is 6 percent and one is 7 percent and conclude that they are different. That is why we have statistical tests.

But even just eyeballing this chart, if you look at the decline in rates like it goes down 5 percent in the ????? [648] district, declines 5 percent in the stable nondesegregation, declined 3 percent in the medium desegregation, you look at these yourself, 4 percent, 7 percent, 6 percent, I am just figuring these in my head, it goes down 10 percent in the districts that become more segregated.

The question we have to ask is are these changes in percentages which range from 3 percent in some types to 10 percent in other types are related to desegregation. We find in fact those districts that decline the most in white enrollment were districts that were becoming more segregated rather than desegregated.

Q. Dr. Mercer, if we take your mean numbers here that indicate, as I understand it, the average number per district, is that correct?

A. Well, it is the average number in all five of these districts. I said we took all the districts and we just had the numbers, we'd strike an average.

Q. If I read your numbers correctly, and correct me if I am wrong, on the large change toward desegregation category the number in 1966 of students, the mean was 9,229.

A. Right.

Q. 1971 it was 7,393.

A. Right.

Q. It would indicate a loss, as I figure it, of [649] approximately 19-some percent during that time period.

A. But you are calculating your percentages the way Dr. Dilworth did and that is not the way we have done it here.

Q. Would that be incorrect, my computation on that basis?

A. I would not agree with that way of calculating percentages. I had not planned to raise that as an issue. That exaggerates the trends. The percentages that we are using here are the ones as reported by the Bureau of Inter-Group Relations. We are always operating from the base of 100 percent, so that in the total universe that we are always looking at what percentage of the total kids attending school in this district is white. Now, we don't look in calculating trends—you see the difficulty, I am editorializing again but it is your question.

Mr. Lane: I ask to strike that as not being responsive to the question. She is editorializing here.

The Court: All right.

By Mr. Lane:

Q. Dr. Mercer, your mean percentages that you have listed here that simply is an indication of what percentage the white children are of the total children in the district, correct?

A. Right. Right.

[650] Q. So if you have an increase in black children or Spanish surname children the decrease will appear in the white number that is listed on page 3?

A. It could be but that in fact has not been the case in California as you look at these statistics. There has been a steady decline in the white children as well as an increase in black and brown children. But you are absolutely right. You could get a change in percentage even though the white children had remained the same and the black and brown had been going up, that is true.

• • • • •

[652] Q. In the study you conducted it was also your opinion, was it not, that if you put low achieving black students with high status white children that had a demoralizing effect?

A. It tended to and this is one of the dilemmas from that study. The relationship seemed to be the friendliness of the Anglo children, high status Anglo children were less friendly than low status Anglo children. It is one of the dilemmas.

Q. Now, when you study the decline of white enrollment in a district do you study the white decline as contrasted to the whole student body or do you do what is a net loss which is a study of the Anglo loss for one year to the next?

A. No, I do it across the whole district. The reason for that is if you make your percentage only on the basis of the Anglo population you are bound to show an increase in rate.

[653] Let me illustrate very simply. If you start with a thousand whites and you lose a hundred of them, okay, that is a 10 percent loss. You use that thousand as a denominator for your first term. Then the next year you have only 900 whites left so if you lose a hundred the next year then your percentage is going to be 1/9th which would be like 11 or 12 percent. If you lost a hundred kids each year because your denominator is getting smaller your rate is going up so this makes it look as if you have an accelerating rate of loss when in fact you are only talking about a hundred persons a year. That is why I don't agree with that way of calculating rates and why we stick to a hundred percent of the population.

Q. Isn't this the way to calculate net loss within a district as to how many white children are in fact leaving the district?

A. It is a way to do it, it is a way that I don't believe demographers ordinarily use. It might be appropriate for accounting.

Q. But it is an accepted way, is it not?

A. I have never seen that used. Usually in the sort of statistics that I deal with, that particular method of talking about loss is not used. They deal with a hundred percent. In fact, I was surprised to see it used because the data the State uses always operates from a hundred percent population.

• • • • •

[656] The Court: Dr. Mercer, you talk about cumulative deficit. Is there a cumulative gains kind of thing?

The Witness: It could be. There are two or three things about the chart—am I permitted to just comment on the charts to you?

The Court: Is there such a term as a cumulative gain?

The Witness: No, there has not been. The cumulative deficit was coined mainly to describe what happens in desegregated schools to minority children, the fact they get further and further behind so that by the time they graduate from high school they are much further behind relatively than they were in elementary schools. In fact—

The Court: Could you apply the same logic to a gain?

The Witness: You could, yes.

The Court: Do you find anything there?

[657] The Witness: Well, in fact if we just want to look at this, I remember looking at some of these charts, it is important to note on these charts that the white children in the charts have not suffered any sort of a loss. If you will notice they are all above the norm, at or about the norm by about the same distance both at the beginning and after desegregation, which I think is important that during the Pasadena plan there is no indication that the white students have lost.

I did some quick calculations in my head. On a couple of the charts it looks as if they have even gone up a little bit so that instead of being 1/10th of a standard deviation above the norm they actually are a little bit higher at the end of the desegregation plan.

I would not want to make any big issue about that. I think the fairest thing to say is that they have continued to grow at the rate they apparently were growing in segregated schools.

Minority children are now growing at the same rate as the white children and the evidence from those charts is that that was not true when the schools were segregated.

The Court: In your studies of this problem wouldn't you expect a gain, if there were going to be any gain to occur or begin to show?

[658] The Witness: In order for this gap to close, that is, to get convergence between the black and white scores would require that black children grow faster than white children, that they be in the same schools but they relatively be learning more so that they would be catching up. It's like a race where everybody is moving and if you move at the same rate of speed the distance between you remains the same. Now, for somebody to catch up they have to run faster. And I posit that is a very difficult burden to lay on children. And if indeed they are now growing at the same rate as white children that certainly is a gain over segregated schools.

We have discovered in our studies that there are a few schools, two or three in fact, that have managed through special programs to speed up the growth in black children so they in fact have grown faster than white children and have come up toward the norm and have been overall gaining. But this is a very difficult thing to do educationally as you can see.

The Court: Doctor, how long would you expect that to take?

The Witness: It depends upon the programs in the school. May I give you an example?

There is one school in Riverside, California, the [659] Longfellow school. It was one-third black, one-third Chicano, one-third Anglo. They developed a very extensive program in reading in that school with Title 1 funds, a pair of professionals, a great deal of parent involvement, all the sorts of things we talk about that should take place in a school. Over a four-year period they were able to bring, and these were lower class children, all of them were lower class children, they were able to bring that school which had been third from the bottom in the district in reading up so that it was about fourth from the top and all the children were reading above the norms in reading. This was a four-year period. So it is not impossible. There

are a few schools that have done it but it takes immense effort and dedication and assistance from the community and the parents.

The Court: Doctor, you said something about the lowering of the white achievement. I did not get quite all of it. Did you say that the high achievers appeared to drop more than the medium and low achievers?

The Witness: No, there is no drop in the white achievement. There has been a consistent finding in all the studies. Dr. Armor's charts reflect that fact in Pasadena. Desegregating the schools and putting lower achieving children into the classes with higher achieving white children does not [660] in fact seem to depress the scores of higher achieving white children.

The Court: We weren't talking about the charts but you said something in your studies in an answer to Mr. Lane that in your studies you found that there has been some lowering of white achievement.

The Witness: No, let me correct that if that was interpreted that way.

The question Mr. Lane was referring to was a paper that I wrote a year ago that was a preliminary analysis of the findings from this study.

In this paper what we found was that in Pasadena the children had apparently been assigned quite randomly under the Pasadena plan, that is, that some schools contained low status black children, high status white children, I am talking now about economic levels, some middle status, in other words, they were randomly assigned. It was as if it were a natural experiment, you know, like an experimenter would go in and would randomly assign them.

* * * * *

ARGUMENT OF COUNSEL.

[675] The Court: We will take a ten-minute recess and you gentlemen can start your arguments.

(Short recess.)

* * * * *

[708] The Court: Let me ask you, Mr. Paul, because the arguments that have been made and the things that have been talked about are that the big problem with the Pasadena plan is that it does not provide for neighborhood schools. That is what it is all about, isn't it?

Mr. Paul: I am coming to that, your Honor. That is one of the things.

The Court: Well, that is what it is all about though. That is what the argument is all about, isn't it? That it does not provide for neighborhood schools.

Mr. Paul: No.

The Court: How do you expect, or nobody has told me how they expect, that if that is the philosophy which prompts the submission of an alternative plan, that because you change the word "voluntary" to "forced" or "forced" to "voluntary" that you will get anybody to leave their neighborhood school. And if you can't do that as night follows day there will remain in the Pasadena School District nine black schools and the rest white schools unless you can show the court somehow that you are going to change people's attitudes toward integration or desegregation, or whatever you want to call it, or a multi-racial education by changing just one word, voluntary from forced. The evidence is that [709] the busing is going to have to be the same or more. How are you going to change that if the philosophy is neighborhood schools? If the philosophy is busing that creates a whole different problem because what difference does it make whether it is forced or voluntary, if the philosophy is busing.

If the philosophy is neighborhood schools you can never—east is east and west is west and in Pasadena never the twain shall meet.

Mr. Paul: Your Honor, I most respectfully disagree with what the court has said. Busing—I as a lawyer in this court have not regarded the busing problem or the busing question as an issue in this case. We are going to have busing, your Honor. The board intends to continue busing. Any child may bus, as I have said, under the alternative plan within his zone.

* * * * *

[723] Mr. Paul: Well, you see it isn't, unfortunately, that simple because in this case the K-6 concept departs from the Pasadena plan. The K-6 concept must be employed if parents are to be given an opportunity on the basis of freedom of choice to send their children to their neighborhood schools.

* * * * *

[740] Mr. Paul: I understand that very well. But we do recognize I believe, your Honor, a situation where you have a school board in office which—let's forget integration, let's forget segregation. Let's forget those emotional issues. Let's assume there are two school boards or—there is a school [741] board and candidates to replace them. And they have completely opposite views on education of kids and they argue their respective positions to the voters. And that was done in Pasadena. The old board espoused and argued just as vehemently to the Pasadena plan as did their opposition to throw them out. And a majority of the voters threw out the old board and installed a new board. And the new board, your Honor, came into office and submitted on the basis of their electioneering to the proposition that they wanted to restore the neighborhood schools. I don't think there is any question but that that was the issue. Forced busing, no.

The Court: No?

Mr. Paul: The neighborhood school?

The Court: Just a moment, Mr. Paul.

Mr. Paul: I think your Honor has the majority of the audience.

The Court: No, I do not have a majority. I do not work by majorities.

(Brief pause.)

The Court: You do not think "Stop forced crosstown busing" was the issue?

Mr. Paul: Your Honor, I think it is a question of semantics. Mr. Marcheschi reminds me that the campaign literature made repeated references to forced busing.

The Court: Does not "Stop forced busing" as an [742] issue—incidentally, on this one particularly I do not see anything about neighborhood schools in the so-called flyer that is supposed to attract attention. What is supposed to attract attention is "Stop forced busing." And I do not see the headlines here to indicate that candidates allege that we will have neighborhood schools. Candidates pledge to end forced cross-town busing.

Mr. Paul: Your Honor, the basic issue, the basic question in the election apart from the literature which is always designed to try and attract attention, the real issue is what in the Pasadena election, as I understand it, I voted in the election, was whether or not parents of the elementary school age children would be given the right to have their kids attend the neighborhood school and forced busing was an issue only and only in the sense that forced busing meant you may not attend your neighborhood school. That was the only significance of that particular issue. There is nothing I repeat—

The Court: But that was the visceral issue. The way to achieve it was by pretty words. And the pretty words "Stop crosstown busing" faces the question directly. But the neighborhood school concept is the pretty words that say, gee, this is nice.

Mr. Paul: Well, there are a lot of parents who think it is nice.

SUPPLEMENTARY EXHIBITS.

PLAINTIFFS' EXHIBIT VIII.

THE NEW PASADENA PLAN.

A Recommended New Approach to Achieve Voluntary Integration and Equality of Educational Opportunity in the Pasadena Unified School District.

by

H. Marcheschi, Member
Board of Education
Pasadena Unified School District
Pasadena, California.

Part II—The Plan and Its Implementation.

November 9, 1971.

One can mix persons of varying races forever and never achieve integration. For unless every person is allowed to develop as a whole person, instead of being forced to subsume his personality and culture for the sake of assimilation, there can be no integration. We may call it "desegregation" at best, but not "integration."

Buddy Jackson, Director
Black House
Berkeley School District

THE NEW PASADENA PLAN.

1.0 *Foreword.*

In Part I of this presentation I outlined the urgent and compelling reasons why the present Pasadena Plan must be changed. Among these reasons were the following:

1.1 The present Pasadena Plan has grossly accelerated white exodus from the school district. Since its emplementation, a total of 4,011 white chilren have left the school system. This represents a cumulative drop of 23.9%, or almost one out of every four white children that were enrolled in the school district before the Pasadena Plan. White enrollment now comprises only 50% of the total student body, and only 46.4% in the elementary schools.

1.2 Based on the racial mix presently existing in the Pasadena School District, it can conclusively be shown that the present racial balance plan will not in and of itself increase minority group achievement. In fact, it can be demonstrated that danger of decreased white achievement exists.

1.3 The Pasadena Plan does not satisfy special educational needs of certain minority children. It denies Black parents the right, if they so choose, to send their children to predominantly Black schools where the educational process is especially tailored to Black needs as Blacks see these needs.

1.4 The Pasadena Plan entails substantial incremental costs which are being borne almost entirely by the School District at the expense of educational programs.

Part I of the presentation stressed that while the community is strongly divided over the present Pasadena Plan, general agreement exists as to the goals it attempts to achieve. Therefore,

there is substantial hope for a new plan which would achieve equivalent goals by more realistic and productive means.

Let it be perfectly clear the New Pasadena Plan is an integration Plan. Its primary purpose is to achieve a consensus of acceptance, thereby stabilizing the community in order that integrated schools become an achievable reality rather than an impossible dream. It is admittedly an imperfect plan, and rightly so, for it is built to compromise and bridge the wide gulf that now separates proponents and opponents of the present plan.

It should be further made clear that what follows is a rather explicitly defined concept—not a detailed school-by-school plan. It is expected that detailed analysis will be required to optimize implementation of the new plan and, of course, such analysis may well result in variations not contemplated in detail by the present outline.

The relative merit of the New Pasadena Plan, in the final analysis, hinges solely on one question—*Will it work?* I am convinced that it will.

2.0 Summary of the New Pasadena Plan.

Basic elements of the New Pasadena Plan are as follows:

2.1 The new plan is based on the concept of neighborhood schools. Integration is achieved by a number of practical alternatives including busing of Black children into white neighborhood schools. Under the plan, Black parents gain the right of self-determination and have the freedom to choose whether their children will attend integrated schools in the White community or majority Black schools located in the Black community under Black control. White parents have the freedom to choose whether their children will attend integrated neighborhood schools or majority Black schools in the Black community.

2.2 All elementary schools would be reconstituted as K-6 schools. Junior high schools would continue to consist of 7th and 8th grades. Senior high schools would still consist of grades 9 through 12, and are treated below as a separate phase of the New Pasadena Plan.

2.3 All elementary and junior high school students would be initially assigned, as a procedural step, to their neighborhood school, such preliminary assignment being predicated solely on geographical factors and school size.

2.4 Such neighborhood school assignments would result in approximately eight elementary schools and one junior high school being racially imbalanced. All students in such racially imbalanced neighborhood schools would be immediately reassigned to the remaining nineteen elementary schools and three junior high schools in a manner such that all remaining neighborhood schools are racially balanced. Necessary busing would be provided by the school district. Sufficient school capacity exists to handle such a one-way busing plan even in the worst case "analysis." (see Exhibit I)

2.5 All Black students assigned to the resulting racially balanced neighborhood schools in predominantly White neighborhoods would have the right to exercise a special reassignment privilege to neighborhood schools in the Black community. Such Black community neighborhood schools would be placed in a new school sub-district under the authority of the present Board of Education, but controlled and governed to the greatest degree possible by the Black community. An equitable pro-rata share of school resources would be allocated to the Black community schools.

2.6 All non-Black students attending racially balanced neighborhood schools would have the privilege of attending Black community schools with district-provided transportation. The result would be a system where all students would have the option of attending either racially balanced schools in predominantly White neighborhoods or predominantly Black schools in Black neighborhoods. *All* children would have the right to attend neighborhood schools, but no White students would have the right to attend a non-integrated school.

2.7 The school district would create a yet to be determined number of "magnet" elementary schools designed to provide innovative, remedial, and enrichment curriculum for students from both Black community schools and racially balanced schools. The objective would be to provide shared inter-racial educational experiences by drawing students from all schools on a periodic basis. In time such "magnet" schools would also encompass various full-time alternative schools designed to voluntarily attract a racially balanced student body.

2.8 Following the first year of implementation and the resultant "settling" of pupil attendance, opportunity would be afforded the Mexican American community to voluntarily transfer students from racially balanced neighborhood schools to a predominantly Mexican American elementary school. Such a school would be considered part of a second newly formed sub-district under the authority of the Board of Education, but controlled and governed to the greatest degree possible by the Mexican American community.

2.9 With respect to high schools, the New Pasadena Plan would retain boundary lines as presently established. However, all Black students presently attending

Pasadena High School and Blair High School would have the right to exercise a special privilege to be reassigned to Muir High School. At such time that Muir High School, by such voluntary Black student transfers, became over 60% Black, Muir would be transferred to the Black community school sub-district. At such point *all* students normally assigned to Muir would have the right of being assigned to Pasadena High School and Blair High School in such manner that each of these two schools would maintain a racially balanced enrollment.

3.0 *Formation of Black Community Sub-District.*

The proposed plan provides Black parents the right to have their children attend predominantly Black schools in the Black community if they voluntarily choose to do so. This "right" is meaningless unless Black parents can be absolutely certain such predominantly Black schools will receive equitable distribution of school resources and truly provide for the special educational needs of Black children as the Black community sees these special needs.

In order to provide such guarantee, it is proposed that all predominantly Black schools which derive from voluntary decisions of Black parents be placed under the authority of a newly formed sub-district which would generally encompass the following basic features:

3.1 The sub-district would be ultimately responsible to the present Board of Education in accordance with present laws.

3.2 The sub-district would be directly governed by a sub-district school board comprised of three to five members. Members of the sub-district school board would be chosen by the Black community, subject to approval of the present school board. The sub-district

school board would determine the organization for running the sub-district, including the possibility of a separate sub-district superintendent.

3.3 School resources would be allocated to the sub-district on a pro-rata basis proportional to the number of students in the sub-district. The sub-district would be independently free to obtain special funding for its own special programs.

4.0 *Advantages of the New Pasadena Plan.*

The New Pasadena Plan must not be evaluated in the abstract but as an alternative to overcoming the failures of the present plan. It is submitted that based on such comparison, the advantages of the New Pasadena Plan are:

4.1 White exodus will be ameliorated. The most important cause of White exodus is busing of children away from White neighborhood schools, not opposition to integrated schools. *Integration can be made to work under the New Pasadena Plan.*

4.2 Black parents will be afforded freedom of choice and viable alternatives not available under the present Pasadena Plan. For example, Black students would be free to attend Black neighborhood schools in lower elementary grades, a choice not available under the present Pasadena Plan. Further, Black parents will gain a presently unavailable alternative—the right to send their children to predominantly Black schools featuring special curriculum needs as determined by Black parents.

4.3 The New Pasadena Plan will result in a substantial reduction of transportation costs estimated to be as much as $250,000 to $400,000. The new plan will also work hand in hand with current plans to optimize school loading, thereby relieving future budgets of

disproportionate fixed costs which currently penalize expenditures directly related to education.

4.4 The New Pasadena Plan maximizes the possibility of being permissible under present law. Basically, all students will attend racially balanced schools in accordance with the present Federal court mandate unless students *voluntarily* opted to attend predominantly Black schools. I am advised by legal counsel there is high probability the courts would not deny racially imbalanced schools which resulted entirely from voluntary decisions of minority parents.

4.5 The New Pasadena Plan will be a markedly new approach to school desegregation generally in concert with the position of the Nixon Administration. It is believed Federal assistance is relatively assured to finance the start-up costs of the new plan.

4.6 Black community schools will provide a new opportunity by which to attack the perplexing problem of increasing achievement of minority children. Black authority will provide a viable mechanism to promote Black responsibility. To the extent voluntary Black transfers to Black community schools take place, the percentage of minority students in racially balanced neighborhood schools will be decreased. This will in turn increase the probability of greater educational achievement for *both* minority group and White children in the racially balanced schools.

5.0 *Implementing the New Pasadena Plan.*

It is recommended the Board of Education take the following action on the New Pasadena Plan.

5.1 Immediate decision to consider the New Pasadena Plan as a potential alternative to the present Pasadena Plan.

5.2 Immediate formation of a special District Committee to report a detailed analysis of the New Pasadena Plan and a preliminary detailed plan of implementation for the 1972-73 school year, such report to be presented to the Board of Education no later than December 31, 1971.

5.3 Immediate formation of a joint Board of Education-Pasadena City Board Committee to design and implement a concentrated action effort for the purpose of stabilizing the community. The need for such joint concentrated action derives from the fact that both city action and school action in this area are completely interdependent, and we cannot succeed in achieving a stabilized integrated school system unless we at the same time achieve a stabilized integrated community.

6.0 *Conclusion.*

I wish to express my deep and sincere appreciation to the Board of Education for the opportunity to present the New Pasadena Plan.

More than all else, I sincerely believe the new plan will re-unite our sorely divided community. Without the consensus of support that derives from such union, any plan is doomed to eventual failure.

To those Board members and others who would be tempted to reject the New Pasadena Plan out of hand, I plead for understanding. Ask yourself whether the cause of integration will not in fact be furthered under the new plan. Ask yourself whether we are in fact ready to grant our minorities the right of self-determination. Ask yourself whether we are willing to forget the ugliness of past differences in order to work together, hand in hand, toward new solutions.

Let us not fail to remember that our present situation, though fraught with problems and frustration, is a momentous opportunity. If we here together can forge a viable alternative to forced integration of our schools, not only will we have best served our school system and our community, but we will have helped preserve a free society.

Such is our challenge. I pray that we will face it, as I know we will, with courage, objectivity and determination.

Thank you.

Exhibit I.

Assuming implementation of the New Pasadena Plan, a primary question is that of elementary and junior high school loading. This analysis assumes the worst case, that is, all pupils initially assigned to racially imbalanced neighborhood schools are accommodated in the remaining schools. All calculations are conservatively based on 1971-72 enrollment. Further drop in enrollment would ease the loading problem.

Elementary Schools.

In October, 1969, 5,393 elementary school children were Black. In October, 1971, the number of Black elementary students was 5,397, an increase of only four students. It is therefore reasonable to assume that initial assignment of all elementary students to neighborhood schools would produce the same general pattern of imbalanced schools that existed in 1969, namely:

School	No. of Blacks	% Black
Audubon	386	63.5
Cleveland	528	97.4
Edison	374	59.4
Franklin	493	82.7
Jackson	534	82.4
Lincon	672	83.9
Madison	546	63.8
Washington	1,060	91.5
	4,593	78.7

The New Pasadena Plan contemplates reassigning *all* students from the above eight schools to the remaining nineteen elementary schools. Inasmuch as total elementary enrollment in 1971-72 was 14,082 students, average enrollment for each of the remaining nineteen elementary schools would be 741 pupils. This is considered reasonably within the limits established by the office of the Superintendent as optimal K-6 school loading. The loading would, of course, be lessened by further drops in school enrollment and/or by those Black students opting for re-transfer to a Black neighborhood school.

Assuming various percentages of Black children voluntarily deciding to attend Black neighborhood schools, the following relationships result based on current enrollment:

Percent Black students opting for Black schools	20%	30%	40%
Black students in Black schools	1,080	1,890	2,700
Number of Black schools	2	3	4
Total pupils in balanced schools	13,002	12,192	11,382
Percent Anglo-Caucasians in balanced schools	50.2%	53.5%	57.3%

It is significant that with only 20% of Black elementary students opting for predominantly Black schools, the Anglo-Caucasian mix in elementary schools increases to over 50%.

Junior High Schools

Implementation of the New Pasadena Plan would result in an initial assignment pattern producing imbalanced attendance at Washington Junior High School. All Washington Junior High School students would then be reassigned to McKinley, Wilson and Eliot. Since total enrollment for 7th and 8th grades is now 4,242 students, average junior high school enrollment over these schools would be 1,417 students. This is considered reasonably within the limits established by the office of the Superintendent as optimal junior high school loading. This loading would be reduced in proportion to further reduction from the present enrollment and/or the number of Black students opting for reassignment to Washington Junior High School.

PLAINTIFFS' EXHIBIT XIX.

Minutes of the Special Meeting — Page No.
January 15, 1974 — 18,415

* * * * *

Page No. 18,417

Mr. Saul Glickman to Mr. Marcheschi

Question: 1. Your proposed modification allows students and parents a choice of attending any school within a particular zone. If all the students living in the neighborhood around Sierra Mesa choose that neighborhood school and that enrollment equalled the capacity, how do you plan to accommodate

Page No. 18,418

a student living in the Audubon neighborhood who chooses to enroll at Sierra Mesa?

Answer: Mr. Marcheschi referred to his earlier comments regarding this and added that even with rooms allocated for special purposes, there still would be rooms available at Sierra Mesa for all children who chose to go there and he added that the use of transportables should not be discounted.

Question: 2. Have you requested or received anonymous input from the K-6 principals relative to the educational preference between the present K-3, 4-6 structure and the proposed K-6 alignment?

Answer: He said he had not received anonymous input, but he believed he was quite aware of the sentiments of principals in this respect.

Question: 3. If we are permitted to proceed with your modification of the Pasadena Plan, could there be segregated schools

Answer: He said absolutely not, adding that his definition of segregated schools is a school where children are assigned and next year?

forced to go to that school because of race and in the proposed modifications, there will be schools which may be necessarily imbalanced, but the imbalances will result from voluntary actions of parents in spite of the fact that the school district is providing every conceivable incentive to achieve racial balance.

Dr. Myers, Mr. Newton and Dr. Vetterli answered "No" to Mr. Lowe's question: "My perception of your own feelings is that you support the new proposal as a compromise between what we now have and what you'd prefer; that if you had your choice you'd pick a N. S. system based on proximity. Right?"

The Superintendent stated he would be responding to the questions addressed to him and members of the staff by Mr. Glickman and proceeded to answer those addressed to Mr. Hagen as follows:

Question: 1. You have reported to the Board and the public that, for example, in Zone A of the proposed modification the student enrollment as of October 5 was 3,075 and the total capacity was 4,550. Did you include library rooms, opportunity rooms, and other special rooms in the unoccupied category?

Answer: Mr. Hagen will be releasing at next week's Board meeting his capacity report for all primary and elementary buildings, and he has taken into consideration the library and special purpose rooms. For example, each school has been allocated four unassigned rooms for this purpose and any other purpose that the principal and staff might designate.

Question: 2 You gave us the total enrollment and total capacity for each zone. Do you have a breakdown of the individual school enrollments and capacities?

Answer: At the meeting on January 22, Mr. Hagen and staff will be discussing consolidation, closing and capacity of schools, and at that time he will be giving this particular data for all of the schools.

Question: 3. During your forty hour work week could you give us a "within ballpark" estimate of the number of hours you have spent providing the school Board and their attorneys with information relative to the proposed modification and the suits they have filed in Judge Real's court?

Answer: Within a ballpark figure, Mr. Hagen has spent approximately ½ day per week since December 1.

Superintendent Cortines then proceeded to answer questions directed to him by Mr. Glickman:

Question: 1. During the many years that I have known you both as a colleague and educational leader you have been a very strong advocate of totally integrated schools, have you not?

Answer: Yes.

Question: 2. Are you currently just as strong an advocate of totally integrated schools?

Answer: Yes.

Question: 3. Do you think that under the proposed modification of the Pasadena Plan our schools will be able to have the same level of integrated education as we have under the current plan?

Answer: No.

Question: 4. Could you please elaborate—why not? Will there be some all Black schools and all White schools?

Answer: He said he believed Mr. Marcheschi had answered this—that each parent had freedom of choice and believed some schools which are in predominantly Black or White neighborhoods will reflect the neighborhood through the choice of the parent.

Question: 5. The proposed modification anticipates many shifts of students in the schools. The current plan allows for the kind of saturation that makes us eligible for a compensatory

education program. How would the proposed modification affect our compensatory education program?

Answer: He believed that it completely changed the schools designated for these programs based on AFDC (Assistance to Families of Disadvantaged Children) counts. He added that presently there are eight primary and approximately four elementary schools which do not currently have this program. Under the proposed modifications, based on this particular count, it would redesignate certain schools as compensatory schools which are eligible for this program.

Question: 6. As administrative leader of the school district you have had numerous meetings with your cabinet, administrative staff and principals of K-6. Could you share with us their general view of K-3, 4-6 alignment as opposed to the proposed change to K-6?

Answer: Mr. Cortines replied that the majority of his cabinet preferred K-3, 4-6, a few K-5, and some are not sure. However, principals have informed him that they feel very comfortable with the K-3, 4-6 structure at the present time.

DEFENDANTS' EXHIBIT XXI IS MISSING.

DEFENDANTS' EXHIBIT G.

PASADENA UNIFIED SCHOOL DISTRICT.

	1970/71	1971/72	1972/73	1973/74
Primary Schools				
Allendale	#	#	#	#
Audubon			#	#
Burbank				
Don Benito			#	#
Franklin	#	#	§	§
Hamilton			#	#
Jefferson				
Linda Vista				
Noyes			#	#
San Refael				#
Sierra Madre				
Sierra Mesa			§	§
Webster				
Willard				
Elementary Schools				
Altadena				#
Cleveland			#	#
Edison			§	§
Field				
Hale				
Jackson				
Lincoln	#	#	#	#
Loma Alta		§	§	§
Longfellow				#
Madison				#
Washington				#

Junior High Schools				
Eliot			#	§
McKinley				#
Washington			#	#
Wislon				#
	1970/71	1971/72	1972/73	1973/74
Senior High Schools				
Blair				
Muir				
PHS				#
Total Schools	3	4	12	21

#=Negro enrollment greater than Anglo-Caucasian enrollment.

§=Negro enrollment at least 50% of student body.

DEFENDANTS' EXHIBIT N.

NEIGHBORHOOD SCHOOL/INTEGRATED ZONE PLAN FOR GRADES K-6

A Proposed Plan to Restore Neighborhood Schools,

Promote Voluntary Integration,

Achieve Equality of Educational Opportunity

and Racially Stabilize the

Pasadena Unified School District

by

H. Marcheschi, Member

Board of Education

Pasadena Unified School District

Pasadena, California

January 9, 1973

PROPOSED AMENDMENT TO CHARTER OF CITY OF PASADENA.

The Charter of the City of Pasadena is hereby amended by adding the following:

Section 713. Equal Educational Opportunity and Assignment of Pupils

The Board of Education of the Pasadena Unified School District shall, commencing on July 2, 1973, formulate, implement and thereafter maintain a plan for providing equal educational opportunity and for assigning pupils which will be in accordance with the following policies:

(1) All students enrolled in public schools operated by the Pasadena Unified School District will be provided equal educational opportunity without regard to race, color or national origin; and

(2) Students will be assigned to public schools and within the classrooms of the schools without regard to race, color or national origin but this shall not require assignment of students in order to overcome racial imbalance; and

(3) The neighborhood is an appropriate basis for determining public school assignments and no student shall be denied the opportunity to attend his neighborhood school should his parents or guardians so desire; and

(4) A balance of students on the basis of race, color or national origin among the schools of the school district and within the classrooms of the schools will be encouraged and facilitated to the maximum degree possible, but failure to attain a balance shall not constitute a denial of equal educational opportunity, or equal protection of the laws.

(5) For the purposes of this section, "neighborhood school" is defined as:

> "The school closest to any particular student's place of residence which provides the appropriate grade level and type of education for such student, taking into account school capacities and natural physical barriers."

Neighborhood School/Integrated Zone Plan for Grades K-6.

1.0 Foreword.

The plan is based on adoption of the following policies by the Board of Education.

1.1 All students enrolled in public schools operated by the Pasadena Unified School District will be provided equal educational opportunity without regard to race, color or national origin; and

1.2 Students will be assigned to public schools and within such schools without regard to race, color or national origin, but this shall not require assignment of students to public schools and within such schools in order to overcome imbalance; and

1.3 The neighborhood is an appropriate basis for determining public school assignments and no student shall be denied the opportunity to attend his neighborhood school should his parents or guardians so desire; and

1.4 A balance of students on the basis of race, color or national origin among the schools of the school district and within the schools will be encouraged and facilitated to the maximum degree possible, but failure to achieve such balance shall not, in and of itself, constitute a denial of equal educational opportunity.

1.5 For the purposes of this section, "neighborhood school" is defined as:

> "The school closest to any particular student's place of residence which provides the appropriate grade level and type of education for such student, taking into account school capacities and natural physical barriers."

2.0 Elements of the New Plan

2.1 All schools now constituted as K-3 and 4-6 schools shall be reconstituted as K-6 schools.

2.2 The resulting twenty-five K-6 schools shall be divided into four zones, each zone consisting of neighborhood school attendance areas such that the ethnic makeup of each zone approximates the ethnic makeup of the school district as a whole.

2.3 Each zone shall contain, to the greatest degree possible, the feeder and receiving schools now coupled in the existing Pasadena Plan.

2.4 Each student shall have the right to attend either his neighborhood school or any of the other K-6 schools in his zone.

2.5 The school district shall provide maximum incentive to achieve voluntary racial balance in each school of the school zone. Such incentives shall include, but not be limited to:

2.5.1 District-provided transportation.

2.5.3 Magnet schools.

2.5.3 Special programs offered only at certain schools.

2.5.4 Shared inter-racial educational experiences between schools.

3.0 Application Example

3.1 Exhibits 1 through 6 illustrate one of many possible constructions of the proposed plan based on neighborhood assignment areas as they existed immediately prior to implementation of the Pasadena Plan. This construction should not be necessarily considered optimal. It is presented primarily for purposes of illustration.

3.2 Exhibits 1 and 2 illustrate neighborhood school boundaries as they existed before the Pasadena Plan and how these schools would be assigned to one of four zones. Exhibits 3 through 6 tabulate the four groups of schools, with associated ethnic enrollment data for each group, as well as for each of the schools comprising the groups. The enrollment data is based on data supplied by the District's Office of Planning, Research and Development, wherein were computed the number of students of each ethnic category based on present enrollment who would be attending these schools if they were reconstituted as K-6 systems with neighborhood attendance boundaries as they existed in 1969-70, immediately prior to implementation of the Pasadena Plan. An acceptable variable in optimizing the new plan is minor changes in neighborhood school boundaries.

3.3 Atention is invited to the following aspects of the illustration:

3.3.1 Considerable amount of unused capacity exists in each of the four zones.

3.3.2 Major concentrations of under-enrollment are in predominantly white neighborhoods, thereby assuring adequate capacity for voluntary transfer of non-white students.

3.3.3 Limitation of transfer privilege only to those schools in any one zone facilitates providing transportation at district expense at a cost well within present expenditures.

3.3.4 The geographical makeup of each zone provides at least one centrally located school to serve as a magnet school.

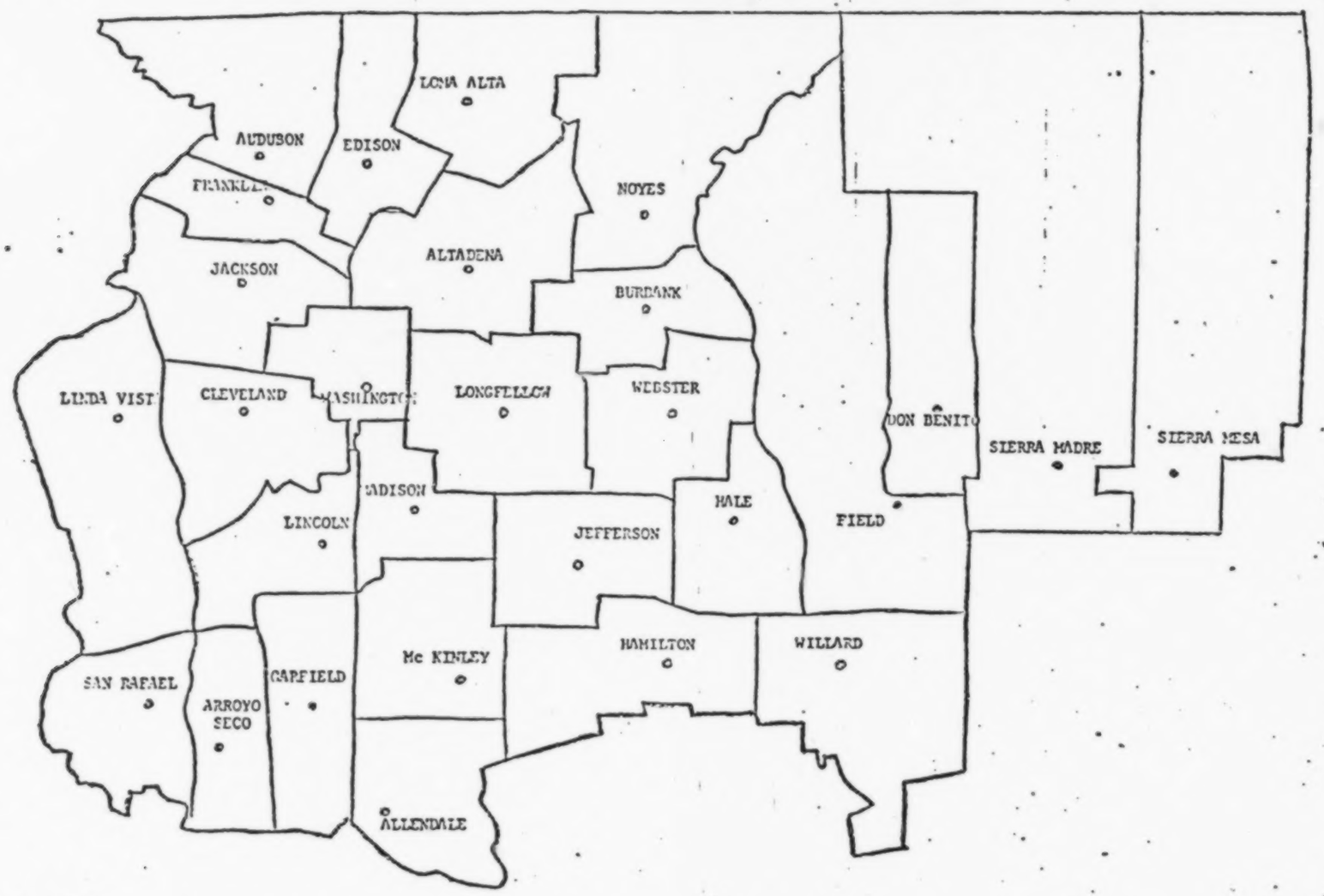
3.3.5 With minor exception, each feeder and receiving school presently coupled in the Pasa-

dena Plan are contained in the same zone. This encourages students to remain in their present schools and allows implementation of the new plan with practically *no* mandatory reassignment of pupils.

3.3.6 The zone plan is completely compatible to the new organizational plan of the district.

4.0 Legal Considerations.

The Neighborhood School/Integrated Zone Plan has been extensively reviewed with private legal counsel and other government and non-government authorities who have advised there is no constitutional obstacle, under Supreme Court decisions, that would stand in the way of the Federal District Court permitting implementation of this plan.


LONA ALTA
AUDUBON
EDISON
FRANKLIN
NOYES
JACKSON
ALTADENA
BURBANK
LINDA VISTA
CLEVELAND
WASHINGTON
LONGFELLOW
WEBSTER
DON BENITO
SIERRA MADRE
SIERRA MESA
MADISON
LINCOLN
JEFFERSON
HALE
FIELD
McKINLEY
HAMILTON
WILLARD
SAN RAFAEL
ARROYO SECO
GARFIELD
ALLENDALE

ILLUSTRATIVE ZONE BOUNDARIES

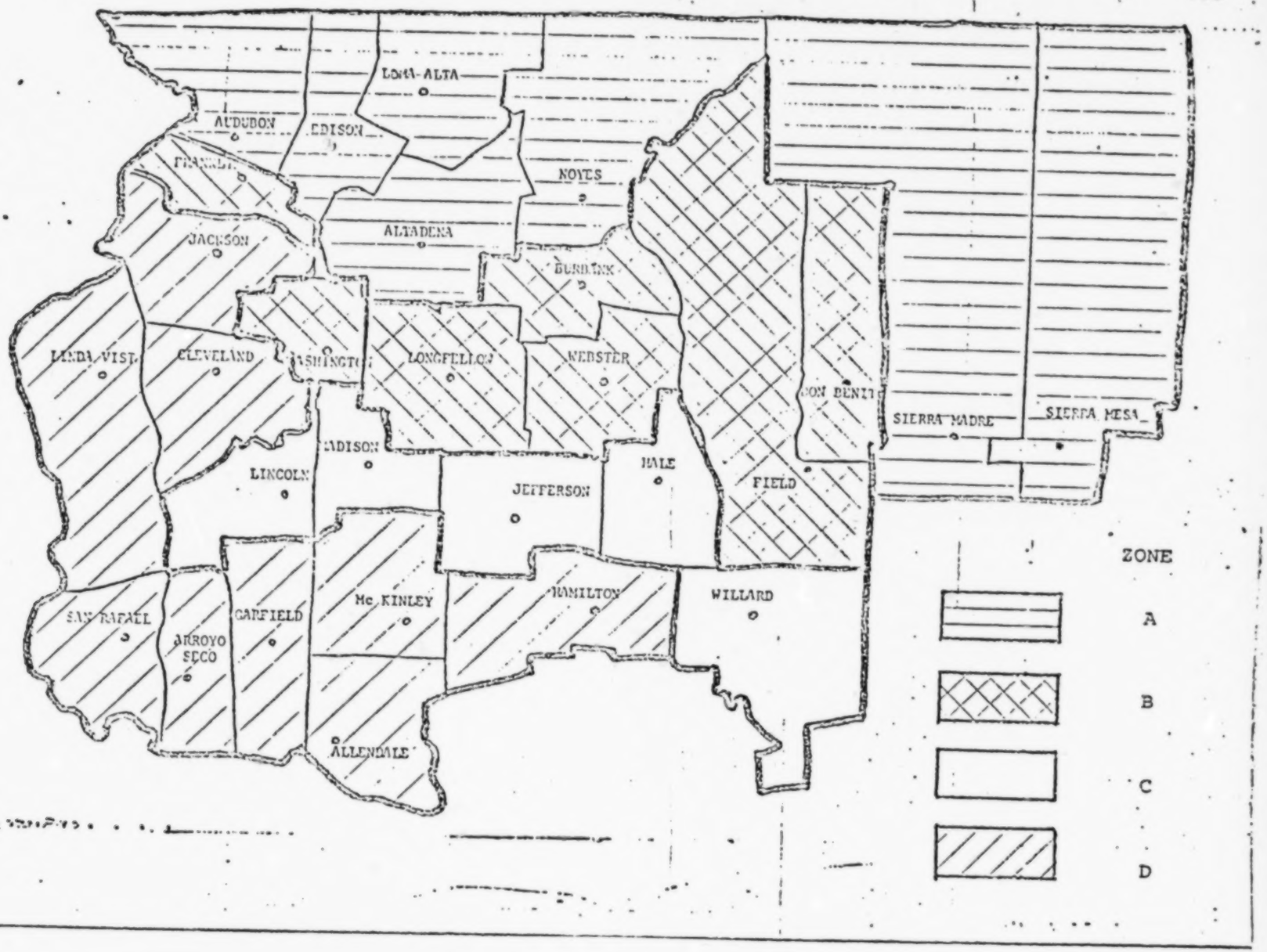


EXHIBIT 3

NEIGHBORHOOD SCHOOL/INTEGRATED ZONE PLAN
ZONE A

Schools	Caucasian	Negro	Spanish-Surname	Others	Total	School Capacity
Audubon	56	403	18	18	495	640
Noyes	184	30	5	12	231	470
Sierra Madre	337	1	33	15	386	760
Sierra Mesa	201	2	11	5	219	550
Altadena	374	311	77	36	797	840
Edison	155	499	40	8	703	680
Loma Alta	177	258	25	12	472	610
Group enrollment	1,484	1,504	209	106	3,303	4,550
Enrollment percentage	44.9%	45.5%	6.3%	3.2%		

Total zone enrollment as percentage of zone school capacity: 72.6%

BEST COPY AVAILABLE

EXHIBIT 4

NEIGHBORHOOD SCHOOL/INTEGRATED ZONE PLAN
ZONE B

Schools	Caucasian	Negro	Spanish-Surname	Others	Total	School Capacity
Burbank	326	16	35	6	383	640
Don Benito	283	3	5	5	297	780
Franklin	76	445	37	12	570	670
Webster	466	19	27	20	532	910
Washington	52	768	69	14	902	900
Longfellow	436	224	145	59	864	990
Field	283	5	44	8	340	700
Group enrollment	1,922	1,480	362	124	3,888	5,590
Enrollment percentage	49.4%	38.1%	9.3%	3.2%		

Total zone enrollment as percentage of zone school capacity: 69.6%

EXHIBIT 5

NEIGHBORHOOD SCHOOL/INTEGRATED ZONE PLAN
ZONE C

Schools	Caucasian	Negro	Spanish-Surname	Others	Total	School Capacity
Jefferson	410	78	238	62	788	1,120
Willard	345	2	94	16	457	1,020
Madison	185	668	286	24	1,163	850
Hale	258	5	42	20	325	760
Lincoln	31	510	77	4	622	1,050
Group enrollment	1,229	1,263	737	126	3,355	4,800
Enrollment percentage	36.6%	37.6%	22.0%	3.8%		

Total zone enrollment as percentage of zone school capacity: 69.9%

EXHIBIT 6

NEIGHBORHOOD SCHOOL/INTEGRATED ZONE PLAN
ZONE D

Schools	Caucasian	Negro	Spanish-Surname	Others	Total	School Capacity
Hamilton	341	9	108	51	509	690
Allendale	205	2	50	19	276	560
Linda Vista	127	2	5	7	141	410
San Rafael	179	4	5	12	200	460
Cleveland	16	542	19	2	579	610
Jackson	15	484	31	27	557	820
*McKinley	95	23	46	15	179	260
*Garfield	110	14	91	6	221	410
Group enrollment	1,088	1,080	355	139	2,662	4,220
Enrollment percentage	40.9%	40.6%	13.3%	5.2%		

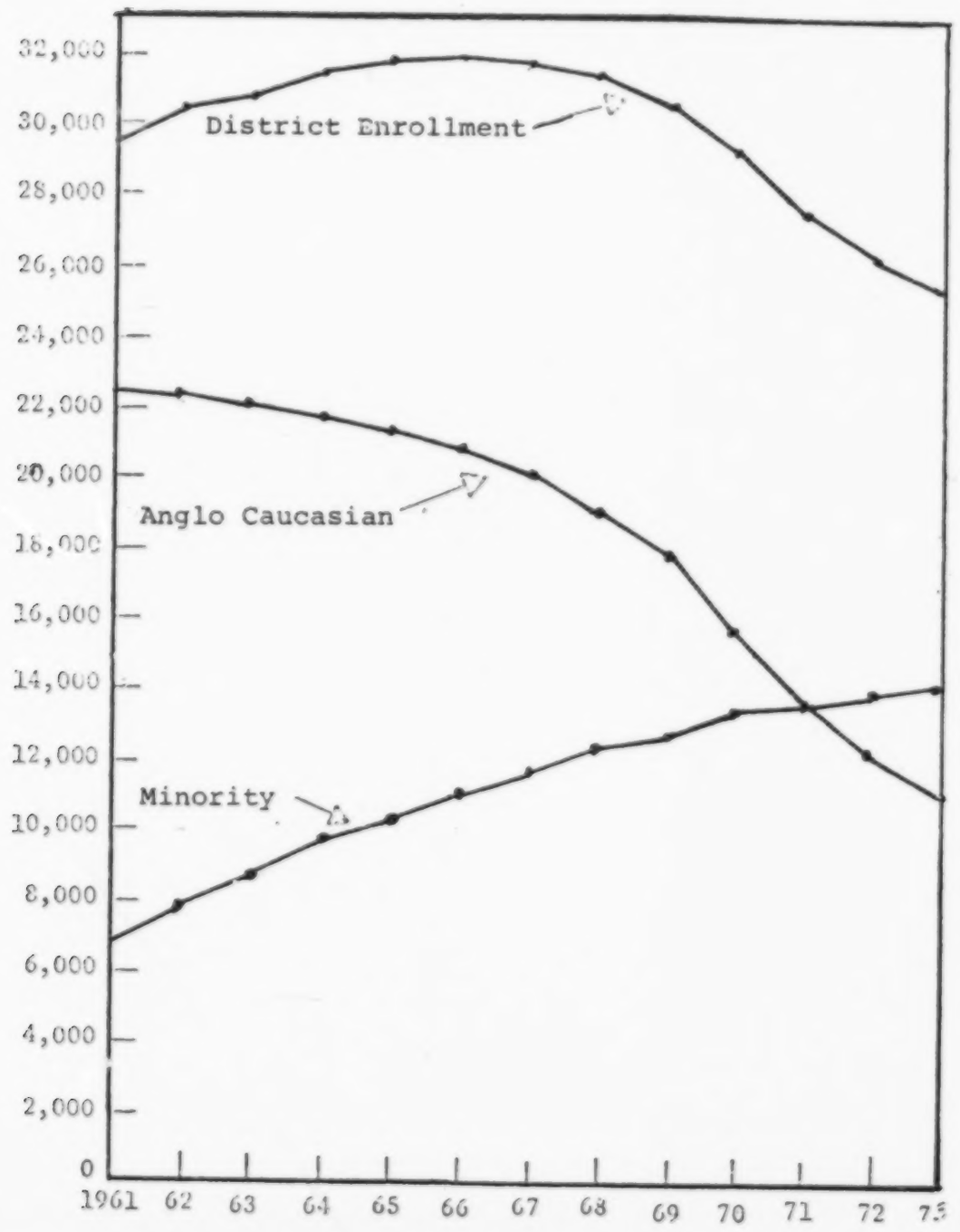
Total zone enrollment as percentage of zone school capacity: 63.1%

*These schools are presently closed, and their neighborhood school populations are currently attending other schools in Zone D.

DEFENDANTS' EXHIBIT AD

FIGURE 3

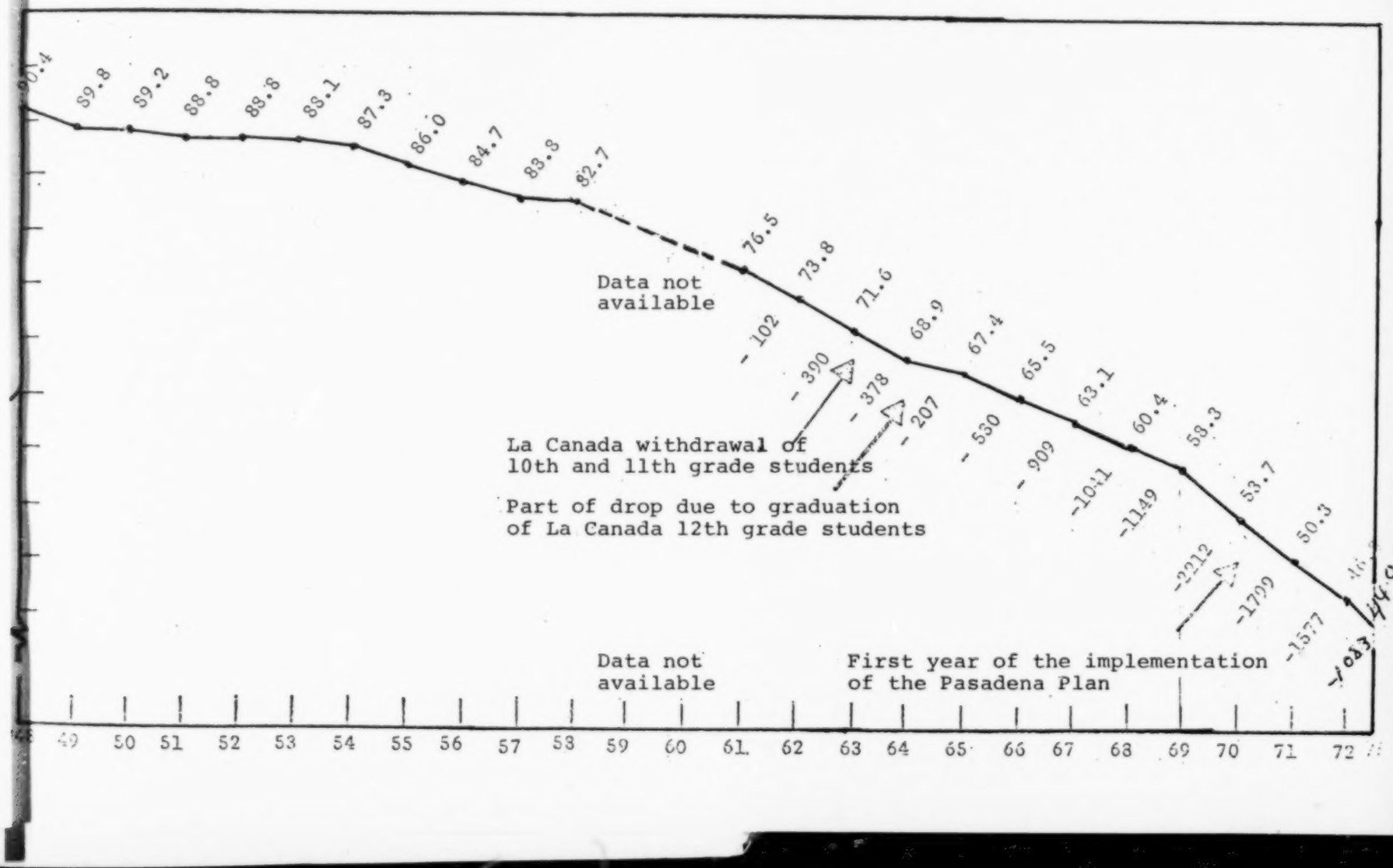
YEARLY ENROLLMENT OF THE PASADENA UNIFIED SCHOOL DISTRICT
SHOWING TOTAL DISTRICT ENROLLMENT, NUMBER OF ANGLO CAUCASIAN STUDENTS
AND NUMBER OF MINORITY STUDENTS
1961-62 THROUGH 1972-73



DEFENDANTS' EXHIBIT AE

PASADENA UNIFIED SCHOOL DISTRICT
DEPARTMENT OF PLANNING, RESEARCH AND DEVELOPMENT
OCTOBER 31, 1972

FIGURE 2. - PERCENT OF ANGLO CAUCASIAN STUDENTS BY YEARS
(The difference in number of Anglo Caucasian students
for each successive year is shown below the curve)



602

PLAINTIFFS' EXHIBIT XXI.

Minutes of the Regular Meeting — Page No.
July 31, 1973 — 18,182

* * * * *

Board Report 42-P.

Appointment of Personnel-Certificated.

The Superintendent noted that under the Board adopted personnel policies, he, as Superintendent, has the right to recommend to the Board acting administrative appointments for not more than one year; however, in these particular recommendations appointing Dr. John M. Kellner as Acting Principal of the Fundamental School, and Mrs. E. Louise Coover as Acting Principal of Wilson Junior High School, he again reiterated that he had already established the dates when the selection procedure will begin in January and a permanent recommendation by February 1st.

Mr. Sheats recalled that after the regular meeting on July 10, 1973, an executive session was held to discuss the appointment of Mrs. Coover. At that time, he had agreed to her acting appointment; however, after reassessing the situation, he finds that he was in error because the Pasadena Plan provides very clearly and definitely how administrative appointments are to be made, and believed this procedure was not being followed. He stated that he does not recall that any notices were circularized with reference to these positions, adding that he knows of no acting position that has not become permanent.

Minutes of the Regular Meeting
July 31, 1973

Page No.
18,183

Motion and Action
Board Report 42-P.

On motion of Dr. Vetterli, seconded by Dr. Myers, and by a vote of 3-1 of the four members present of the five member Board, with Mr. Sheats voting "Nay" for reasons as raised during the discussion, Board Report 42-P was approved and made the action of the Board.

Administrative Appointments Under Pasadena Plan.

Mr. Sheats read a statement dated July 31, 1973, a copy of which is attached, in which he pointed out that his obligation to the appointments of three top administrators at the Board meeting of July 10, 1973, was not based on personalities involved, but the rationale for making these appointments, which was to reorganize this district and in that process place positions of leadership with persons whose philosophies were compatible with the present Board. In his statement, he reiterated that this action was illegal under the Brown Act because he believed deliberation on these appointments was not conducted in a public meeting. Also, it did not follow the Pasadena Plan's recruitment and assignment to reduce racial segregation in the district and, especially, encourage minority candidates.

Mr. Marcheschi stated that because of the seriousness of Mr. Sheats' questions raised previously in the press, he and the Superintendent had met with County Counsel, at which time the question was raised as to whether or not the three appointments violated the court order of the Spangler case. He stated that County Counsel, after reviewing the documents on the case, rendered the opinion that the action of the Board did not violate the court order of the Spangler case.

During the discussion, Mr. Marcheschi touched on the executive session at which time Mr. Sheats' appointment was consummated. Mr. Sheats said that his appointment was not being questioned at this time, and, further, that he did not believe the County Counsel opinion to be persausive to him, as an attorney.
Motion.

Rescinding Action of Administrative Appointments

Mr. Sheats moved that in view of the fact that there is very serious probability that these appointments violate the Pasadena Plan, that these appointments be rescinded. The motion was lost for want of a second.

Dr. Myers referred to Mr. Marcheschi's reference to an executive session at which time Mr. Sheats was appointed, and requested completion of that incident, if not at this meeting at some future date, because it appeared to him that some sort of precedent was established at that time. Dr. Vetterli concurred with this request. Mr. Marcheschi replied that there would be no discussion on that subject tonight.

STATEMENT OF SAMUEL C. SHEATS
TO THE PASADENA SCHOOL BOARD
JULY 31, 1973

Mr. Marcheschi and other Board Members:

On July 10, when a majority of this Board announced its intention to appoint three people to top administrative posts, I strongly urged that these appointments not be made. I indicated that my opposition was not based on the personalities involved, but that it was to the rationale for making these appointments.

As I understand it, that rationale was that the majority of this Board wished to reorganize this District, in the process of which you wished to place in positions of leadership persons whose philosophies were compatible with yours.

You may remember that I objected that what a majority of the Board proposed was probably illegal under the Ralph Brown Act, which requires this Board to conduct its business in public. I denied this Board could have conducted its deliberations regarding the reorganization and appointments in public, since between July 2, 1973, when three members of this Board took oaths of office, and July 10, when the reorganization and appointments were announced and adopted, no public meeting was held for such purpose.

While I would reiterate to you tonight I still think the action of the majority of the Board on July 10 was illegal under the Brown Act, such reiteration is not my primary purpose for making this statement to you. What I now urge is that there is an even more compelling legal reason—one I wasn't aware of on July 10—for you to rescind the administrative appointments you made July 10. That reason is that these appointments were made in violation of the Pasadena Plan, which this school district is legally obligated to follow and abide by.

Specifically, the Pasadena Plan provides "for the assignment, hiring and promotion of teachers and other professional staff

members in such manner as to reduce racial segregation throughout the District." (page 37) Moreover, the PP expressly provides for the recruitment and selection of administrators. At page 46 it provides:

> "Vacancies in these (administrative) positions are filled from eligible lists established by examination . . .
>
> ". . . Announcements for these positions are distributed to all school personnel, . . . and to a mailing list recommended by the Department of Intergroup Education which includes agencies and districts where minority personnel may be available."
>
> "When vacancies occur, the top five names on the eligible list are referred to the appointing authority for consideration. All appointments must be approved by the Superintendent.
>
> "A positive recruitment program paralleling the teacher recruitment program will actively seek out minority group administrators, supervisors, and counselors who are interested in employment with the Pasadena Unified School District. . . . Minori-candidates will be especially encouraged to apply."

It is obvious that none of these provisions of the Pasadena Plan was complied with. Moreover, none of the administrators selected by this Board on July 10 is a member of a minority group, and so failure to comply with the Pasadena Plan cannot be said to have been an inconsequential error.

In light of this, it is clear that this Board ought to immediately rectify the error it made in appointing the administrators on July 10, by rescinding those appointments right now. Failure to act in this way may, and indeed is likely to, subject the Board to the necessity of defending a legal action which may be brought by any one or more of a number of persons who have been aggrieved by this Board's wrongful administrative appointments.

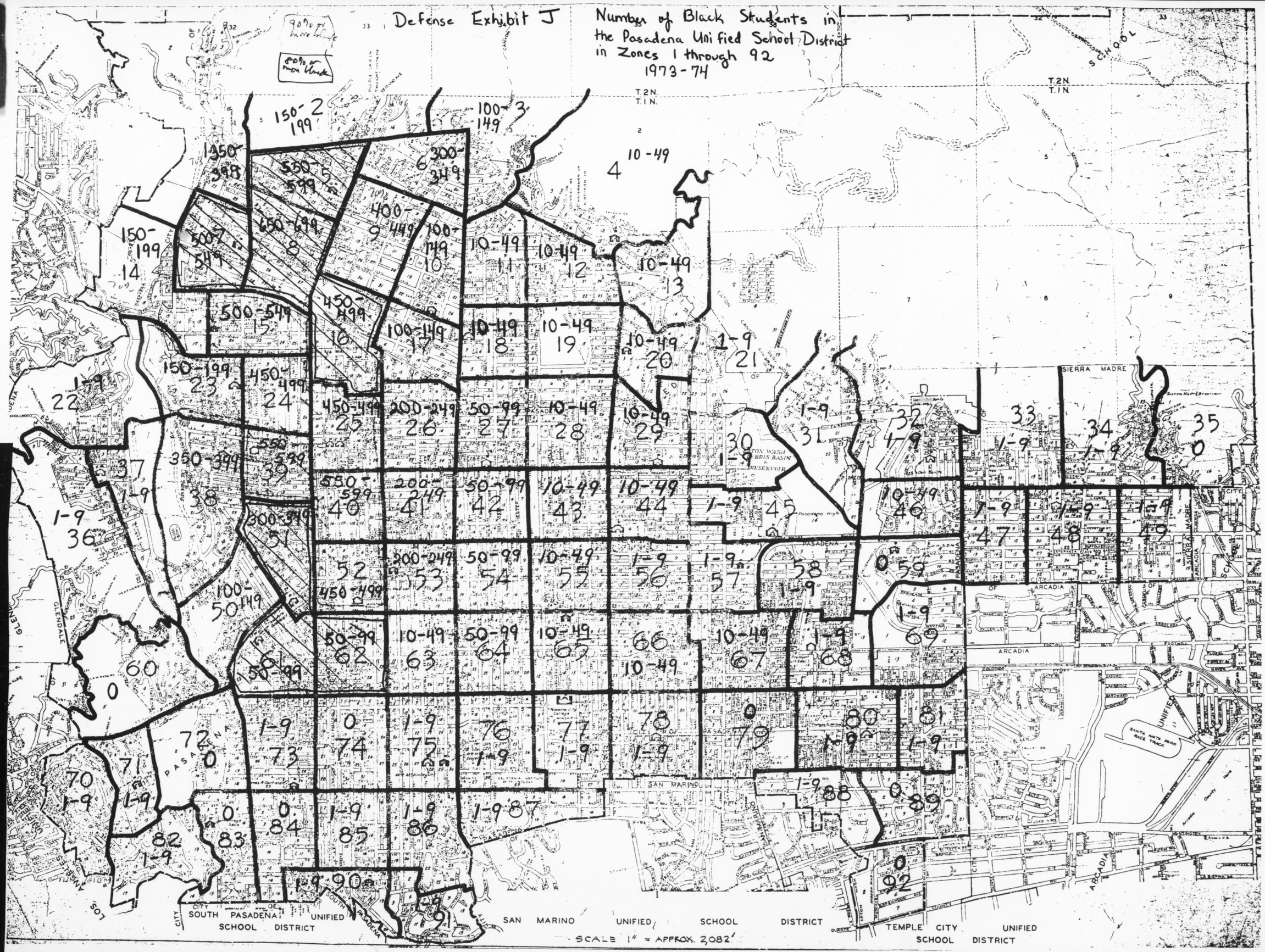
OVERSIZE FOLDOUT(S) FOUND HERE IN THE PRINTED EDITION OF THIS VOLUME ARE FOUND FOLLOWING THE LAST PAGE OF TEXT IN THIS MICROFICHE EDITION.

SEE NO 1 + 2

1

Defense Exhibit J

Number of Black Students in the Pasadena Unified School District in Zones 1 through 92
1973-74



2

Defense Exhibit X

Number of White Students Enrolled in the Pasadena Unified School District in Zones 1-92

1973-74